

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

MAR 1 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

KERMIT REESE,

Plaintiff,

vs.

T.R.W. - REDA PUMP COMPANY,

Defendant.

No. 80-C-347-B

ORDER OF DISMISSAL

Plaintiff brought the instant action alleging employment discrimination under Title VII of the Civil Rights Act of 1964, 42 U.S.C.A. §2000e et seq., on June 18, 1980. Following discovery, the matter was set for trial to the Court on March 29, 1982.

When the docket was called on March 29, 1982, this action was the first to be tried. Although plaintiff's counsel acknowledged plaintiff had notice of the trial setting, plaintiff did not appear. In response to the Court's inquiry concerning plaintiff's whereabouts and his excuse for not being present, plaintiff's counsel responded he knew of no sound reason for plaintiff's failure to appear. Plaintiff's counsel did note plaintiff had just commenced work in a new job, but offered no other excuse for his absence. Plaintiff's counsel then requested a continuance of two days, or until March 31, 1982, and the request was granted. At all times, defendant was present with its witnesses and ready to proceed.

On March 31, 1982, plaintiff's counsel again appeared and announced plaintiff was not present. Plaintiff's counsel further

informed the Court he had sent plaintiff a certified letter regarding the new trial date and had attempted to telephone plaintiff, but had been unsuccessful in these attempts to reach plaintiff. Defendant was again present and ready to proceed. At this point, the Court offered to continue the matter until 2:30 on the afternoon of March 31, 1982 if plaintiff's counsel was of the opinion he could contact plaintiff and obtain his appearance. Plaintiff's counsel indicated, although he would attempt to contact plaintiff, he did not think he would be successful in reaching him or obtaining his appearance. The Court then indicated the action would be dismissed with prejudice for plaintiff's failure to prosecute.

It has long been firmly established a district court has inherent authority to order a cause dismissed sua sponte upon the parties' failure to prosecute. Link v. Wabash Railroad Company, 370 U.S. 626, 629, 630-31 (1962). See also, Roadway Express, Inc. v. Piper, 447 U.S. 752, 765 (1980). Although the United States Supreme Court opinion in Link v. Wabash Railroad Company makes clear no notice need be given by the Court prior to an order of dismissal, plaintiff herein has been afforded notice his complaint and cause of action were subject to dismissal through his counsel. Plaintiff's counsel having advised the Court plaintiff was aware of the trial setting and he knows of no sound reason for plaintiff's failure to appear, the Court, in an exercise of its discretion, concludes the instant action should be dismissed with prejudice for plaintiff's failure to prosecute.

IT IS, THEREFORE, ORDERED plaintiff's complaint and cause
of action alleged herein are dismissed.

ENTERED this 31st day of March, 1982.

A handwritten signature in cursive script, appearing to read "Thomas R. Brett", written over a horizontal line.

THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF OKLAHOMA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

MAR 31 1982

Jack C. Silver, Clerk
U.S. DISTRICT COURT

OKLAHOMA STATE BANK & TRUST
COMPANY, OKLAHOMA, a banking
association,

Plaintiff,

-vs-

RAYMOND McKINNEY and UNITED
STATES OF AMERICA,

Defendants.

Case No. 81-C-598-E

O R D E R

NOW on this 30th day of March, 1982, upon
application of Plaintiff, Oklahoma State Bank and Trust
Company, Vinita, Oklahoma, by and through its attorneys
of record, BAILEY & FRY, INC., for a dismissal of the
pending cause in the above entitled and captioned action,
and for good cause shown therefore, it is

THEREFORE THE ORDER, JUDGMENT AND DECREE of this
Court that this action be, and the same is hereby dismissed
with prejudice.

s/James O. Ellison
James E. Ellison
Judge of the United States District
Court, Northern District

X

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

DOROTHY HALL, surviving widow,)
of Jack Lee Hall, Deceased,)
Plaintiff,)
and)
LEONARD L. HALL and PATRICIA)
M. MYERS, surviving children)
of Jack Lee Hall, deceased,)
Additional)
Plaintiffs,)
vs.)
FARMERS INSURANCE COMPANY,)
INC., a Kansas Corporation,)
Defendant and Third)
Party Plaintiff,)
vs.)
GREG VANDERWAGON,)
Third-Party)
Defendant,)
vs.)
GREG VANDERWAGON,)
Additional)
Defendant.)

FILED

MAR 11 1982 *W*

Jack C. Silver, Clerk
U.S. DISTRICT COURT

No. 81-C-185-E ✓

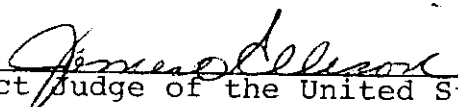
O R D E R

On this 30th day of March, 1982, the
joint application of the parties to dismiss with prejudice
came on before the Court for hearing. The Court finding that
the parties have entered into a settlement of all claims, hereby
sustains said joint application to dismiss. It is therefore
ordered that plaintiffs' causes of action against the defendants
are hereby dismissed with prejudice. The Cross-Petition of the
Farmers Insurance Company, Incorporated, against Greg Vanderwagon

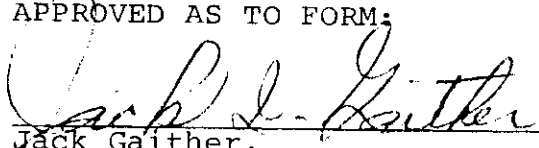
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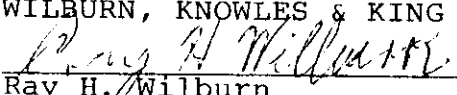
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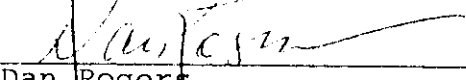
is hereby dismissed with prejudice.


District Judge of the United States
District Court for the Northern
District of Oklahoma

APPROVED AS TO FORM:


Jack Gaither,
Attorney for Dorothy Hall,
Leonard L. Hall and
Patricia M. Myers

WILBURN, KNOWLES & KING

Ray H. Wilburn
Attorney for Farmers Insurance
Company, Incorporated

ROGERS, ROGERS, HONN, HILL, SECREST
& MCCORMICK

Dan Rogers
Attorney for Greg Vanderwagon

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

APR 13 1982

Jack C. Silver, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

GARLIN M. BAILEY,

Defendant.

CIVIL ACTION NO. 81-C-695-E

O R D E R

GOOD CAUSE HAVING BEEN SHOWN, it is hereby ordered that the Default Judgment entered in the above-styled case on the 18th day of January, 1982, is corrected to reflect the name of Garlin M. Bailey.

S/ JAMES O. SHERMAN

UNITED STATES DISTRICT JUDGE

FILED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

MAR 31 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHAEL C. LABARR,

Defendant.

CIVIL ACTION NO. 82-C-229-E

DEFAULT JUDGMENT

This matter comes on for consideration this 30 day of March, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Don J. Guy, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Michael C. Labarr, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Michael C. Labarr, was personally served with Summons and Complaint on March 1, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Michael C. Labarr, for the principal sum of \$397.80, plus interest at the legal rate (12%) from the date of this Judgment until paid.

S/ JAMES G. ELLISON

UNITED STATES DISTRICT JUDGE

[illegible]

Jack C. Silver, Clerk
U. S. DISTRICT COURT

Plaintiff,

CIVIL ACTION NO. 82-C-200-E

Defendant.

This matter comes on for consideration this 30 day of March, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Nancy A. Nesbitt, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Edward A. Boyd, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Edward A. Boyd, was personally served with Summons and Complaint on March 1, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Edward A. Boyd, for the principal sum of \$250.80, plus interest at the legal rate (12%) from the date of this Judgment until paid.

UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

ALFRED LEE BLUNT,

Plaintiff,

vs.

UNITED STATES DEPARTMENT OF
JUSTICE, AND THE UNITED
STATES ATTORNEY GENERAL,

Defendants.

No. 81-C-719-C

MAR 11 1982

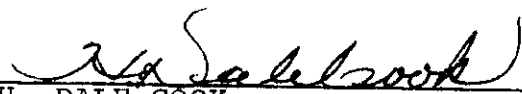
O R D E R

Now before the Court for its consideration is the motion of the defendants to dismiss this action for failure to state a claim upon which relief can be granted, for improper venue, and for lack of subject matter jurisdiction.

Plaintiff herein has filed this action pursuant to 42 U.S.C. §1983, seeking to have escape charges removed from his records. Since §1983 grants a cause of action against those acting under color of state law, not federal law, this Court lacks subject matter jurisdiction to entertain such an action. Browns v. Mitchell, 409 F.2d 593 (10th Cir. 1969); Ellis v. Blum, 643 F.2d 68 (2nd Cir. 1981).

Therefore, defendants motion to dismiss for lack of subject matter jurisdiction is hereby sustained, and the action herein is dismissed.

It is so Ordered this 29th day of March, 1982.


H. DALE COOK
Chief Judge, U. S. District Court

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CIVIL ACTION NO. 80-C-493-E

CLARK PACKING COMPANY, an
Oklahoma Corporation, successor
to Clark Locker and Processing
Co., Inc.; WILLIAM VIRGIL CLARK
and LOIS M. CLARK; BILL B.
CLARK and DOROTHY M. CLARK;
BOYD W. CLARK; WILKERSON
INSURANCE AGENCY, INC., a
Corporation; EDMOND H. GOFORTH
and DORIS M. GOFORTH; VICTOR
SAVINGS AND LOAN ASSOCIATION;
AMERICAN BANK OF OKLAHOMA, an
Oklahoma Banking Corporation;
FRANK BAKER, JR. and MARY SUE
BAKER; PHOENIX FEDERAL SAVINGS
& LOAN ASSOCIATION, a Corpora-
tion,

Defendants.

FILED

MAR 30 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

JUDGMENT OF FORECLOSURE

THIS MATTER comes on for consideration this 29th day
of March, 1982, the Plaintiff, United States of America on
behalf of its agency and instrumentality, the Small Business
Administration, appearing by Frank Keating, United States
Attorney for the Northern District of Oklahoma, through Nancy A.
Nesbitt, Assistant United States Attorney; the Defendant,
Wilkerson Insurance Agency, Inc., appearing by its attorney,
Gary M. Jay; the Defendant, Victor Savings and Loan Association,
appearing by its attorney, David R. Van Horn; the Defendant,
American Bank of Oklahoma, appearing by its attorney, Paul B.
Blevins; and, the Defendants, Clark Packing Company, William
Virgil Clark and Lois M. Clark, Bill B. Clark and Dorothy M.
Clark, and Boyd W. Clark, appearing not.

The Court, being fully advised and having examined the
file herein, finds that the Defendant, Wilkerson Insurance
Agency, Inc., was served with Summons and Complaint on
September 4, 1980, and with Summons and Amendment to Complaint on

July 17, 1981. On September 17, 1980, the Defendant, Wilkerson Insurance Agency, Inc., filed its Answer to the Complaint, and on July 30, 1981, it filed its Answer to the Amendment to Complaint.

The Defendant, Victor Savings and Loan Association, was served with Summons and Complaint on September 4, 1980, and with Summons and Amendment to Complaint on June 9, 1981. On January 7, 1981, the Defendant, Victor Savings and Loan Association, filed its Answer to the Complaint and Counterclaim, and on August 26, 1981, it filed its Answer to the Amendment to Complaint.

The Defendant, American Bank of Oklahoma, was served with Summons and Complaint on September 4, 1980, and with Summons and Amendment to Complaint on June 9, 1981. On October 8, 1980, the Defendant, American Bank of Oklahoma, filed its Answer to the Complaint, and on August 10, 1981, it filed its Answer to the Amendment to Complaint.

The Defendants, Clark Packing Company, William Virgil Clark and Lois M. Clark, Bill B. Clark and Dorothy M. Clark, and Boyd W. Clark, were served with Summons and Complaint on September 4, 1980. On June 9, 1981, the Defendant, Clark Packing Company, was served with Summons and Amendment to Complaint. On June 10, 1981, the Defendant, Boyd W. Clark, was served with Summons and Amendment to Complaint. On July 15, 1981, the Defendants, William Virgil Clark and Lois M. Clark, and Bill B. Clark and Dorothy M. Clark, were served with Summons and Amendment to Complaint. These Defendants did not answer or otherwise move as to the Complaint or Amendment to Complaint and their default was, therefore, entered by the Clerk of this Court on November 6, 1981.

The Court further finds that this is a suit based upon a Promissory Note, and the security agreements and real estate mortgages securing said note covering certain personal and real property located in Mayes County, Oklahoma, are described in detail below.

On or about April 19, 1976, Clark Locker and Processing Company, Inc., predecessor of the Defendant, Clark Packing Company, executed and delivered to the Defendant, American Bank of Oklahoma, its Promissory Note (hereinafter referred to as the Note), wherein it promised to pay to the order of American Bank of Oklahoma the principal sum of \$250,000.00, plus 9 1/2 percent interest per annum, and further providing for the payment of annual installments of principal and interest. This Note was transferred and assigned to the Small Business Administration on February 9, 1979, by endorsement thereon.

Also on April 19, 1976, the Defendants, William Virgil Clark, Bill B. Clark, and Boyd W. Clark, executed and delivered to the Defendant, American Bank of Oklahoma, their Guaranty whereby they guaranteed the payment of the Note. On February 9, 1979, this Guaranty was assigned to the Small Business Administration.

The Court finds that the Defendant, Clark Packing Company, has made default under the terms of the Note and the Defendants, William Virgil Clark, Bill B. Clark, and Boyd W. Clark, have made default under their Guaranty by their failure to make annual installments due on the Note, which default has continued and that by reason thereof, the above-named Defendants are now indebted to the Plaintiff in the principal sum of \$228,528.23, together with interest accrued thereon in the sum of \$40,169.73 through June 27, 1980, and interest accruing thereafter at the rate of \$60.31 per day.

FIRST CAUSE OF ACTION

As security for the payment of the Note, Clark Locker and Processing Company, Inc., executed and delivered to the Defendant, American Bank of Oklahoma, certain Security Agreements dated April 15, 1976, which were assigned to the Small Business Administration on February 9, 1979, by endorsement thereon. Under the terms and conditions of the Security Agreements and the Assignments thereof, the Small Business Administration has a

valid and existing security interest in the following personal property of the Defendant, Clark Packing Company:

All inventory and accounts receivable, machinery and equipment, and furniture and fixtures now owned or thereafter acquired and the proceeds and contract rights arising therefrom.

SECOND CAUSE OF ACTION

As further security for the payment of the Note, Clark Locker and Processing Company, Inc. executed and delivered to the Defendant, American Bank of Oklahoma, a Real Estate Mortgage dated April 19, 1976, and covering the following real property:

The East 210 feet of the North 420 feet of the Northwest Quarter of the Northeast Quarter of the Northwest Quarter of Section Sixteen (16), Township Twenty-One (21) North and Range Nineteen (19) East of the Indian Base and Meridian according to the United States Government Survey and Plat thereof.

On February 9, 1979, this Real Estate Mortgage was transferred and assigned to the Small Business Administration.

The Defendant, Wilkerson Insurance Agency, Inc., also has an interest in the above-described real property by virtue of a judgment for \$11,402.98 plus costs, entered on February 12, 1980, in the District Court of Mayes County, Oklahoma, in Case No. C-79-354, Wilkerson Insurance Agency, Inc. v. Clark Packing Company, but said judgment lien is junior and inferior to the mortgage lien of the Plaintiff.

THIRD CAUSE OF ACTION

As further security for the payment of the Note, the Defendant, Clark Packing Company, executed and delivered to the Defendant, American Bank of Oklahoma, a Real Estate Mortgage dated April 19, 1976, and covering the following real property:

The West Half of the Northwest Quarter of the Northeast Quarter (W/2 NW/4 NE/4) and the East Half of the Northeast Quarter of the Northwest Quarter (E/2 NE/4 NW/4), LESS AND EXCEPT the North 177.5 feet of the West 503 feet of the Northeast Quarter of the Northeast Quarter of the Northwest Quarter (NE/4 NE/4 NW/4) of Section Sixteen (16), Township Twenty-One (21) North, Range Nineteen (19) East of the Indian Base and Meridian, Mayes County, State of Oklahoma.

On July 26, 1979, this Real Estate Mortgage was transferred and assigned to the Small Business Administration.

Also on July 26, 1979, the American Bank of Oklahoma executed a Partial Release of Mortgage releasing the following real property from the aforesaid Real Estate Mortgage dated April 19, 1976:

The North 208.71' of the West 208.71' of the East 477.42' of the Northwest Quarter of the Northwest Quarter of the Northeast Quarter (NW/4 NW/4 NE/4) of Section Sixteen (16), Township Twenty-One (21) North, Range Nineteen (19) East of the Indian Base and Meridian, Mayes County, State of Oklahoma.

On September 27, 1977, the Defendant, Clark Packing Company, executed and delivered to the Defendant, American Bank of Oklahoma, a Real Estate Mortgage covering the following real property:

The West Half of the Northwest Quarter of the Northeast Quarter (W/2 NW/4 NE/4) and the East Half of the Northeast Quarter of the Northwest Quarter (E/2 NE/4 NW/4), LESS AND EXCEPT the North 177.5 feet of the West 503 feet of the Northeast Quarter of the Northeast Quarter of the Northwest Quarter (NE/4 NE/4 NW/4) of Section Sixteen (16), Township Twenty-One (21) North, Range Nineteen (19) East of the Indian Base and Meridian, Mayes County, State of Oklahoma.

On February 9, 1979, this Real Estate Mortgage was transferred and assigned to the Small Business Administration.

On December 11, 1978, the American Bank of Oklahoma executed a Partial Release of Mortgage releasing the following real property from the aforesaid Real Estate Mortgage dated September 27, 1977:

Beginning at a point 268.71 feet West and 208.71 feet South of the Northeast corner of the Northwest Quarter of the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$); Thence South parallel to the East boundary line of the said Northwest Quarter of the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$) a distance of 208.71 feet; Thence West a distance of 208.71 feet; Thence North a distance of 208.71 feet; Thence East a distance of 208.71 feet to the place or point of beginning, all in Section Sixteen (16), Township Twenty-One (21) North, Range Nineteen (19) East of the Indian Base and Meridian TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS OVER AND ACROSS THE FOLLOWING DESCRIBED LAND: Over the West 20 feet of the East 268.71 feet of the North 417.42 feet of the

Northwest Quarter of the Northwest Quarter of the Northeast Quarter (NW¼ NW¼ NE¼) of Section 16, Township 21 North, Range 19 East of the Indian Base and Meridian.

The Defendant, American Bank of Oklahoma, has retained an interest in the above-described real property by virtue of a Mortgage dated July 10, 1975. This mortgage lien is superior to the mortgage lien of the Plaintiff on said property. This Mortgage was given by Clark Locker and Processing Company, Inc. to secure payment of a Promissory Note upon which the sum of \$44,671.48 is presently due and owing.

FOURTH CAUSE OF ACTION

As further security for the payment of the Note, the Defendants, Virgil Clark and Lois M. Clark, executed and delivered to the Defendant, American Bank of Oklahoma, a Real Estate Mortgage covering the following real property:

A tract or parcel of land situated in the N/2 NW/4 NE/4 of Section 26, Township 22 North, Range 20 East of the Indian Base and Meridian, more particularly described as follows, to-wit: Beginning at a point 138.03 feet South, and 642.59 feet East of the Northwest corner of said 20-acre tract, and on the Southerly right-of-way of the original Tulsa water line; thence South 32°56' East, a distance of 198.7 feet; thence South 57°04' West, a distance of 125 feet; thence North 32°56' West, a distance of 177.6 feet; more or less, to a point on the said Southerly right-of-way; thence Northeasterly on a curve to the left, along said right-of-way a distance of 126.8 feet, more or less to the point or place of beginning.

On February 9, 1979, this Real Estate Mortgage was transferred and assigned to the Small Business Administration.

The Defendant, Victor Savings and Loan Association, has an interest in the above-described real property by virtue of a Mortgage dated November 18, 1965. This mortgage lien is superior to the mortgage lien of the Plaintiff on said property. This Mortgage was given by the Defendants, Virgil Clark and Lois M. Clark, to secure payment of a Promissory Note upon which the sum of \$3,742.00 is presently due and owing.

FIFTH CAUSE OF ACTION

As further security for the payment of the Note, the Defendants, Bill B. Clark and Dorothy M. Clark, executed and

delivered to the Defendant, American Bank of Oklahoma, a Real Estate Mortgage covering the following real property:

That certain tract, piece or parcel of land situated in the NW/4 NW/4 NE/4 of Section 26, Township 22 North, Range 20 East of the Indian Base and Meridian, Mayes County, Oklahoma described as follows, to-wit: Beginning at a point on the North line of said 10-acre tract, 20 feet East of the Northwest corner of said 10-acre tract; thence East along said North line a distance of 275 feet thence South a distance of 150 feet; thence West, parallel with the North line of said 10-acre tract, 275 feet, thence North 150 feet to the point of beginning.

On February 9, 1979, this Real Estate Mortgage was transferred and assigned to the Small Business Administration.

The Defendant, Victor Savings and Loan Association, has an interest in the above-described real property by virtue of a Mortgage dated February 2, 1977. This mortgage lien is junior and inferior to the mortgage lien of the Plaintiff on said property.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover judgment against the Defendants, Clark Packing Company, William Virgil Clark, Bill B. Clark, and Boyd W. Clark, in the principal amount of \$228,528.23 together with accrued interest of \$40,169.73 as of June 27, 1980, with interest thereafter at the rate of \$60.31 per day, plus the costs of this action.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that upon the failure of the previously named Defendants to satisfy Plaintiff's money judgment herein, an Order of Sale shall be issued to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell with appraisement the personal and real property herein, subject to any unpaid taxes, if any, and apply the proceeds thereof in satisfaction of the Plaintiff's judgment. Provided, however, that the sale of the real property described in the Third and Fourth Causes of Action shall specifically be made subject to the prior and superior mortgage liens of the Defendants, American Bank of Oklahoma and Victor Savings and Loan Association, respectively.

The surplus from said sale, if any, shall be deposited with the Clerk of the Court to await further order of the Court.

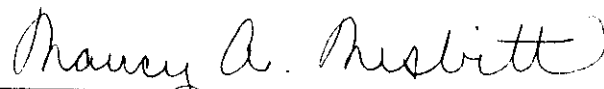
IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that from and after the sale of said property, under and by virtue of this judgment and decree, the Defendants, Clark Packing Company, William Virgil Clark and Lois M. Clark, Biill B. Clark and Dorothy M. Clark, Boyd W. Clark, and Wilkerson Insurance Agency, Inc., and all persons claiming under them since the filing of the Complaint herein, be and they are forever barred and foreclosed of any right, title, interest or claim in or to the personal and real property or any part thereof.

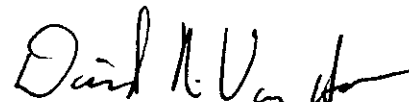

UNITED STATES DISTRICT JUDGE

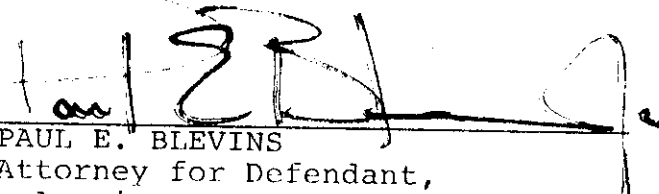
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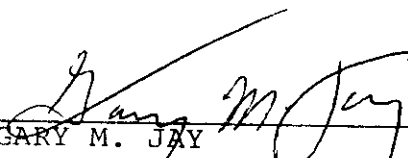
UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney


NANCY A. NESBITT
Assistant U.S. Attorney


DAVID R. VAN HORN
Attorney for Defendant,
Victor Savings & Loan Assoc.


PAUL E. BLEVINS
Attorney for Defendant,
American Bank of Oklahoma


GARY M. JAY
Attorney for Defendant,
Wilkerson Insurance Agency, Inc.

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

MAR 30 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

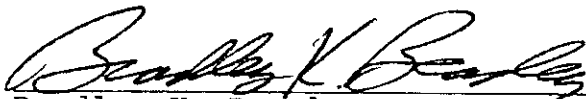
BUTCHER-FORDE CONSULTING,)
a partnership,)
)
Plaintiff,)
)
vs.)
)
DAVID LIVINGSTONE MISSIONARY)
FOUNDATION, INC., a)
corporation,)
)
Defendant.)

No. 81-C-337-E


STIPULATION FOR DISMISSAL

COMES NOW the Plaintiff, Butcher-Forde Consulting, and the Defendant, David Livingstone Missionary Foundation, Inc., by and through their respective attorneys and hereby stipulate that the above entitled action be dismissed without prejudice, pursuant to Federal Rule 41.

So stipulated this 30th day of March, 1982.


Bradley K. Beasley
Boesche, McDermott & Eskridge
320 S. Boston, Suite 1300
Tulsa, Oklahoma 74103
(918) 583-1777

ATTORNEY FOR PLAINTIFF


Craig Blackstock
Blackstock, Joyce, Pollard, Blackstock
& Montgomery
Suite 300
515 Main Mall
Tulsa, Oklahoma 74103
(918) 585-2751

ATTORNEY FOR DEFENDANT

IN THE UNITED STATES DISTRICT COURT FOR
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAR 30 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

RAMAZAN AMY and
WILLINE AMY,
husband and wife,

Plaintiffs,

vs.

No. 82-C-325-E

BECKER CORPORATION and
ERVA E. COINER,

Defendants.

ORDER

NOW on this 29 day of March, 1982, before the undersigned Judge of the United States District Court for the Northern District of Oklahoma, upon Plaintiffs' Motion to Dismiss without prejudice and it appearing to the Court that there is no diversity of citizenship between the parties and that this Court has no jurisdiction of the parties and the subject matter, and that Plaintiff's motion should be granted.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that Plaintiffs' action be, and the same is hereby dismissed without prejudice to the filing of a further cause of action.

S/ JAMES O. ELLISON

U. S. DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAR 30 1982

**Jack C. Silver, Clerk
U. S. DISTRICT COURT**

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
JESSE R. QUAPAW,)
)
Defendant.)

CIVIL ACTION NO. 82-C-187-E

DEFAULT JUDGMENT

This matter comes on for consideration this 29th day of March, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Nancy A. Nesbitt, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Jesse R. Quapaw, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Jesse R. Quapaw, was personally served with Summons and Complaint on February 25, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Jesse R. Quapaw, for the principal sum of \$461.90, plus interest at the legal rate (12%) from the date of this Judgment until paid.

S/ JAMES O. ELLISON

UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAR 30 1982

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
JOHN V. MELTON,)
)
Defendant.)

Jack C. Silver, Clerk
U. S. DISTRICT COURT

CIVIL ACTION NO. 82-C-192-E

DEFAULT JUDGMENT

This matter comes on for consideration this 29 day of March, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Philard L. Rounds, Jr., Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, John V. Melton, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, John V. Melton, was personally served with Summons and Complaint on February 20, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, John V. Melton, for the principal sum of \$427.97, plus interest at the legal rate (12%) from the date of this Judgment until paid.

S/ JAMES O. ELLISON

UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

1982

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.	)	CIVIL ACTION NO. 82-C-128-B
)	
AVERY O. WEST,)	
)	
Defendant.)	

DEFAULT JUDGMENT

This matter comes on for consideration this 30 day of March, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Philard L. Rounds Jr., Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Avery O. West, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Avery O. West, was personally served with Summons and Complaint on February 6, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Avery O. West, for the principal sum of \$499.07, plus interest at the legal rate (12%) from the date of this Judgment until paid.

S/ THOMAS R. BRETT

UNITED STATES DISTRICT JUDGE

FILED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

MAR 50 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

THOMAS E. JONES, JR.,

Defendant.

CIVIL ACTION NO. 82-C-42-E

DEFAULT JUDGMENT

This matter comes on for consideration this _____ day of March, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Don J. Guy, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Thomas E. Jones, Jr., appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Thomas E. Jones, Jr., was personally served with Summons and Complaint on January 23, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Thomas E. Jones, Jr., for the principal sum of \$271.89, plus interest at the legal rate (12%) from the date of this Judgment until paid.

S/ JAMES O. ELLISON

UNITED STATES DISTRICT JUDGE

FILED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

MAR 30 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,
Plaintiff,

vs.

CORNELIUS C. HART,
Defendant.

CIVIL ACTION NO. 82-C-280-E

AGREED JUDGMENT

This matter comes on for consideration this 29 day
of March, 1982, the Plaintiff appearing by Frank Keating,
United States Attorney for the Northern District of Oklahoma,
through Nancy A. Nesbitt, Assistant United States Attorney, and
the Defendant, Cornelius C. Hart, appearing pro se.

The Court, being fully advised and having examined the
file herein, finds that the Defendant, Cornelius C. Hart, was
personally served with Summons and Complaint on March 11, 1982.
The Defendant has not filed his Answer but in lieu thereof has
agreed that he is indebted to the Plaintiff in the amount alleged
in the Complaint and that Judgment may accordingly be entered
against him in the amount of \$903.92, plus 12% interest from the
date of this Judgment until paid.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that
the Plaintiff have and recover Judgment against the Defendant,
Cornelius C. Hart, in the amount of \$903.92, plus 12% interest
from the date of this Judgment until paid.

S/ JAMES O. ELLISON

UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney

Nancy A. Nesbitt
NANCY A. NESBITT
Assistant U.S. Attorney

Cornelius C. Hart
CORNELIUS C. HART

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAR 30 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

FRED W. BAILEY,

Defendant.

CIVIL ACTION NO. 82-C-195-E

DEFAULT JUDGMENT

This matter comes on for consideration this 29 day of March, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Nancy A. Nesbitt, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Fred W. Bailey, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Fred W. Bailey, was personally served with Summons and Complaint on February 20, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Fred W. Bailey, for the principal sum of \$373.66, plus interest at the legal rate (12%) from the date of this Judgment until paid.

S/ JAMES C. FILL

UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

SHIRLEY SANDERS

Plaintiff

vs

82-c-156-E ✓

ASSOCIATED COLLECTION SERVICE INC.

Defendant

APPLICATION FOR DISMISSAL WITH PREJUDICE

Comes the Plaintiff and moves the court for dismissal of her counts ,causes of action. which were pled in her Complaint, including any other counts which could have been pled under the liberal rules of amendment against the Defendant for the reason that she has received the sum of \$1,000 from the Defendant in full, final, and complete settlement of any and all claims she has or may have against the Defendant arising out of the facts of this action, and that this matter has been fully compromised and settled.

Shirley Sanders
Shirley Sanders

Paul H. Garrison
Paul Garrison, her attorney

ORDER

Now on this 29th day of March, 1982 the court finds that the Complaint of the Plaintiff should be dismissed with prejudice to any further action for the reason that the parties have fully compromised and settled all of the issues between them.

IT IS SO ORDERED

James C. Silver
JUDGE, UNITED STATES DISTRICT COURT

FILED
MAR 30 1982
Jack C. Silver, Clerk
U. S. DISTRICT COURT

FILED
MAR 25 1982
Jack C. Silver, Clerk
U. S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

VIOLET JIMMIE BURKE and)
JAMES BURKE,)

Plaintiffs,)

vs.)

NO. 81-C-428-C

WATERWOOD NATIONAL COUNTRY)
CLUB, a corporation, and)
AMERICAN HONDA MOTOR CO.,)
Inc.,)

Defendants.)

MAR 1982

U.S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

O R D E R

On this 11th day of March, 1982, the Court held a pre-trial conference. During said pre-trial conference plaintiffs moved to dismiss without prejudice their cause of action against the American Honda Motor Company. No party objected to said motion and the Court sustained same.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that plaintiffs' Motion To Dismiss Without Prejudice their cause of action against American Honda Motor Company is sustained and plaintiffs' cause of action against American Honda Motor Company is hereby ordered dismissed without prejudice.

s/H. DALE COOK

District Judge for the United
States District Court for the
Northern District of Oklahoma

APPROVED AS TO FORM:



DAVID R. SCOTT
Attorney for Plaintiffs

GREGORY D. NELLIS
Attorney for Defendant
Waterwood National Country Club

DENNIS KING
Attorney for Defendant American
Honda Motor Company

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

DONALD R. LINDQUIST,)
)
Plaintiff,)
)
vs) No. 80-C-322-E
)
HOME CASUALTY CASSETTES,)
INC., A Missouri cor-)
poration, ANTHONY W.)
GREEN and STEVE)
ESPINOZA,)
)
Defendants.)

No. 80-C-322-E

FILED

MAR 30 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

JOURNAL ENTRY OF JUDGMENT

This matter comes on for trial this 9th day of March, 1982; Plaintiff appears in person and by and through his counsel, Robert H. Tips, and the Defendant Steve Espinoza appears in person and by and through his counsel, Dan A. Rogers. The Court, having heard the evidence and statements of counsel, and being advised in the premise, finds that the Plaintiff should have and he is hereby granted judgment against the Defendant Steve Espinoza for the sum of \$3,000.00, said sum to be paid as follows:

\$2,000.00 on or before April 1, 1982;

The balance of said judgment to be paid at the rate of \$50.00 per month commencing October 1, 1982, and a like sum on the 1st day of each and every month thereafter until said judgment is paid in full.

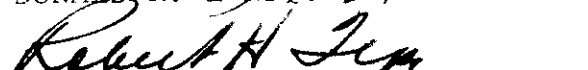
AND IT IS SO ORDERED, ADJUDGED AND DECREED.

S/ JAMES O. ELLISON


UNITED STATES DISTRICT JUDGE

APPROVED:


DONALD R. LINDQUIST, Plaintiff


ROBERT H. TIPS
Attorney for Plaintiff


STEVE ESPINOZA, Defendant


DAN A. ROGERS
Attorney for Defendant
Steve Espinoza

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

JOHN S. BERRY, et al.,)
)
 Plaintiffs,)
)
 -vs-)
)
)
)
 G. DALE JANDA, et al.,)
)
 Defendants.)

FILED

MAR 29, 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

No. 80-C-577-BT ✓

ORDER

This March 28, 1982, upon consideration of plaintiffs' Application For Order Of Dismissal, the Court finds that the parties have entered into an agreement which resolves the issues pending in this case, and

IT IS, THEREFORE, ORDERED that plaintiff's Complaint as amended and the causes of action stated therein are hereby dismissed with each party to bear their own costs.

Thomas Brett

Thomas Brett, Judge
United States District Court
Northern District of Oklahoma

RECEIVED
BY
PRO. AND
IMMEDIATELY
UPON RECEIPT.

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN
DISTRICT OF THE STATE OF OKLAHOMA

FILED

MAR 29 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

TERRY FOWLER,

Plaintiff,

VS.

NO. 81-C-370-E


SPEED-CUT, INC.,

Defendant.

DISMISSAL OF DEFENDANT COMPONENT SALES COMPANY

Comes now the plaintiff and shows to the Court that he failed to obtained proper service on this named defendant within the statutory period of time and therefore wishes to dismiss the action against Component Sales Company only.

DON L. DEES, INC.


DON L. DEES, Attorney for Plaintiff
23 West 4th Street
700 Franklin Building
Tulsa, Oklahoma 74103
(918) 583-0121

MAILING CERTIFICATE

I, Don L. Dees, do hereby certify that on this 25th day of March, 1982, I did mail a true, correct, and exact copy of the foregoing Dismissal to Mr. Richard C. Honn, Attorney at Law, 117 East 5th Street, Tulsa, Oklahoma 74103, with sufficient postage prepaid.


DON L. DEES

FILED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,
Plaintiff,

vs.

ROGER D. GRIGG,
Defendant.

CIVIL ACTION NO. 82-C-228-B

AGREED JUDGMENT

This matter comes on for consideration this 28 day
of March, 1982, the Plaintiff appearing by Frank Keating,
United States Attorney for the Northern District of Oklahoma,
through Nancy A. Nesbitt, Assistant United States Attorney, and
the Defendant, Roger D. Grigg, appearing pro se.

The Court, being fully advised and having examined the
file herein, finds that the Defendant, Roger D. Grigg, was
personally served with Summons and Complaint on March 3, 1982.
The Defendant has not filed his Answer but in lieu thereof has
agreed that he is indebted to the Plaintiff in the amount alleged
in the Complaint and that Judgment may accordingly be entered
against him in the amount of \$728.00, plus 12% interest from the
date of this Judgment until paid.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that
the Plaintiff have and recover Judgment against the Defendant,
Roger D. Grigg, in the amount of \$728.00, plus 12% interest from
the date of this Judgment until paid.

S/ THOMAS R. BRETT

UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney

Nancy A. Nesbitt
NANCY A. NESBITT
Assistant U.S. Attorney

Roger D. Grigg
ROGER D. GRIGG

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

CIVIL ACTION NO. 82-C-185-B

UNITED STATES DISTRICT JUDGE

FILED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.) CIVIL ACTION NO. 82-C-176-B
)
JOHN T. GAINER,)
)
Defendant.)

DEFAULT JUDGMENT

This matter comes on for consideration this 28 day of March, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Don J. Guy, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, John T. Gainer, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, John T. Gainer, was personally served with Summons and Complaint on February 19, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, John T. Gainer, for the principal sum of \$381.50, plus interest at the legal rate (12%) from the date of this Judgment until paid.

S/ THOMAS R. BRETT

UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,
Plaintiff,

vs.

SPENCER H. WILL,
Defendant.

CIVIL ACTION NO. 82-C-222-C

AGREED JUDGMENT

This matter comes on for consideration this 29 day
of March, 1982, the Plaintiff appearing by Frank Keating,
United States Attorney for the Northern District of Oklahoma,
through Philard L. Rounds, Jr., Assistant United States Attorney,
and the Defendant, Spencer H. Will, appearing pro se.

The Court, being fully advised and having examined the
file herein, finds that the Defendant, Spencer H. Will, was
personally served with Summons and Complaint on February 27,
1982. The Defendant has not filed his Answer but in lieu thereof
has agreed that he is indebted to the Plaintiff in the amount
alleged in the Complaint and that Judgment may accordingly be
entered against him in the amount of \$772.37, plus 12% interest
from the date of this Judgment until paid.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that
the Plaintiff have and recover Judgment against the Defendant,
Spencer H. Will, in the amount of \$772.37, plus 12% interest from
the date of this Judgment until paid.

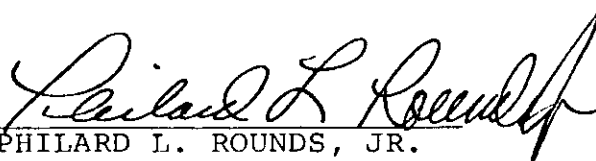
s/H. DALE COOK

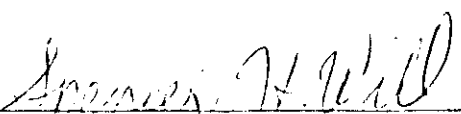
UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney


PHILARD L. ROUNDS, JR.
Assistant U.S. Attorney


SPENCER H. WILL

FILED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BOBBY G. ANDERSON,

Defendant.

CIVIL ACTION NO. 82-C-161-E

NOTICE OF DISMISSAL

COMES NOW the United States of America by
Frank Keating, United States Attorney for the Northern District
of Oklahoma, Plaintiff herein, through Nancy A. Nesbitt,
Assistant United States Attorney, and hereby gives notice of its
dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure,
of this action without prejudice.

Dated this 29th day of March, 1982.

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney

Nancy A. Nesbitt

NANCY A. NESBITT
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy
of the foregoing pleading was served on each
of the parties hereto by mailing the same to
them or to their attorneys of record on the
29th day of March, 1982.

Nancy A. Nesbitt
Assistant United States Attorney

IN THE UNITED STATES DISTRICT COURT IN AND FOR
THE NORTHERN DISTRICT OF OKLAHOMA

KEPLINGER AND ASSOCIATES, INC.,)
an Oklahoma corporation,)
)
Plaintiff,)
)
vs.)
)
RED MOUNTAIN ASSOCIATES, a)
Maryland Limited Partnership,)
)
Defendant.)

Civil No. 82-C-130-C

MAR 29 1982

STIPULATED ORDER OF DISMISSAL

JACK G. COOK,
U. S. DISTRICT JUDGE

IT IS HEREBY STIPULATED, by and between counsel for
all parties hereto subject to the approval of the Court, as
follows:

1. All claims presented by the Complaint herein shall
be dismissed without prejudice as to all parties pursuant to
Rule 41(a) of the Federal Rules of Civil Procedure.
2. Each party shall bear its own costs and attorney
fees.

DATED this 29 day of March, 1982.

MORREL, HERROLD & WEST, INC.

By: George L. de Verges
George L. de Verges
4111 S. Darlington, Suite 600
Tulsa, OK 74135
918/ 664-2424

ATTORNEY FOR PLAINTIFF

By: John M. Sharp
John M. Sharp
510 Oklahoma Natural Building
Tulsa, OK 74119
918/ 585-8141

ATTORNEY FOR DEFENDANT

IT IS SO ORDERED:

s/H. DALE COOK
UNITED STATES DISTRICT JUDGE

DATED: March 29, 1982

FILED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

MAR 9 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAMES H. DAVIS,

Defendant.

CIVIL ACTION NO. 81-C-654-C

DEFAULT JUDGMENT

This matter comes on for consideration this 26th day of March, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Philard L. Rounds, Jr., Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, James H. Davis, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, James H. Davis, was personally served with Summons and Complaint on February 23, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, James H. Davis, for the principal sum of \$612.27, plus interest at the legal rate (12%) from the date of this Judgment until paid.

s/H. DALE COOK

UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

URBAN ENERGY COMPANY, a)
Texas corporation,)
)
Plaintiff,)
)
vs.)
)
WENDELL G. PORTER,)
)
Defendant.) NO. 81-C-402-BT

ORDER OF DISMISSAL

Now, on this 28 day of ^{March}~~February~~, 1982, there
comes on for consideration the plaintiff's Application for
Dismissal:

For good cause shown, plaintiff's Complaint and
this cause of action is dismissed.

UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

METROPOLITAN TRANSIT AUTHORITY
OF HARRIS COUNTY, TEXAS, a
political subdivision of the
STATE OF TEXAS, d/b/a MTA,

Plaintiff,

vs.

STAGECOACHES UNLIMITED, INC.,
an Oklahoma Corporation,

Defendant.

Case No. 82-C-148-B

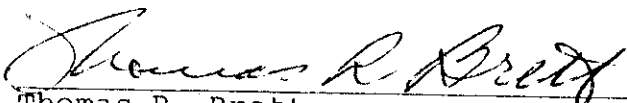
ORDER

This matter comes before the Court on a Stipulation of Dismissal submitted jointly by the parties. The Stipulation states that dismissal without prejudice is appropriate since the issues in this action are presently being litigated in the Southern District of Texas, Case No. H-82-369.

For good cause shown and to avoid unnecessary duplication of judicial effort, this case is hereby dismissed.

IT IS SO ORDERED

Dated this 28 day of Mar, 1982.


Thomas R. Brett
United States District Judge

FILED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

MAR 29 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROBERT J. TIRY,

Defendant.

CIVIL ACTION NO. 82-C-81-B

NOTICE OF DISMISSAL

COMES NOW the United States of America by
Frank Keating, United States Attorney for the Northern District
of Oklahoma, Plaintiff herein, through Philard L. Rounds, Jr.,
Assistant United States Attorney, and hereby gives notice of its
dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure,
of this action with prejudice.

Dated this 29th day of March, 1982.

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney

Philard L. Rounds, Jr.
PHILARD L. ROUNDS, JR.
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy
of the foregoing pleading was served on each
of the parties hereto by mailing the same to
them or to their attorneys of record on the

29 day of March, 1982

Philard L. Rounds, Jr.
Assistant United States Attorney

FILED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ERVIN J. LYONS,

Defendant.

CIVIL ACTION NO. 82-C-51-B

AGREED JUDGMENT

This matter comes on for consideration this 28 day of march, 1982, the Plaintiff appearing by Frank Keating, United States Attorney for the Northern District of Oklahoma, through Don J. Guy, Assistant United States Attorney, and the Defendant, Ervin J. Lyons, appearing pro se.

The Court, being fully advised and having examined the file herein, finds that the Defendant, Ervin J. Lyons, was personally served with Summons and Complaint on February 18, 1982. The Defendant has not filed his Answer but in lieu thereof has agreed that he is indebted to the Plaintiff in the amount alleged in the Complaint and that Judgment may accordingly be entered against him in the amount of \$601.00, plus 12% interest from the date of this Judgment until paid.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover Judgment against the Defendant, Ervin J. Lyons, in the amount of \$601.00, plus 12% interest from the date of this Judgment until paid.

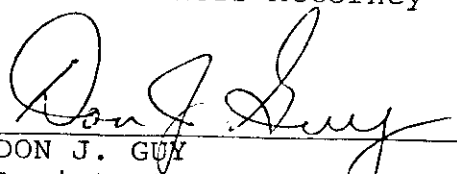
S/ THOMAS R. BRETT

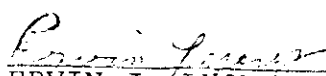
UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney


DON J. GUY
Assistant U.S. Attorney


ERVIN J. LYONS

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

RAYMOND L. RHODES,

Plaintiff,

vs.

RICHARD SCHWEIKER, SECRETARY
OF HEALTH AND HUMAN SERVICES
OF THE UNITED STATES,

Defendant.

Jack C. Silver, Clerk
U. S. DISTRICT COURT

81-C-424-BT

FILED

J U D G M E N T

Jack C. Silver, Clerk
U. S. DISTRICT COURT

This cause having been considered by the Court on the pleadings, the entire record certified to this Court by the defendant, Secretary of Health and Human Services ["Secretary"], and the briefs submitted by the parties, the Court is of the opinion as reflected by its Memorandum Opinion filed herein that the final decision of the Secretary is supported by substantial evidence as required by the Social Security Act; and should be affirmed.

IT IS, THEREFORE, ORDERED that the final decision of the Secretary should be and hereby is affirmed.

ENTERED this 28th day of Mar, 1982.


THOMAS R. BRETT

UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

MAR 15 1982 *jc*

CLERK OF COURT
U.S. DISTRICT COURT

JEFFREY RICHMOND,
Plaintiff,

v.

PRUDENTIAL PROPERTY AND
CASUALTY INSURANCE COMPANY,
Defendant.

NO. 81-C-855-B ✓

APPLICATION TO DISMISS WITH PREJUDICE

COMES NOW the Plaintiff, above named, and moves this Court for dismissal of the above captioned action for the reason that a compromise settlement has been agreed to between the parties herein for the payment of the sum of FIVE HUNDRED DOLLARS AND NO/100 (\$500.00) in consideration for the full, final and complete release of the Defendant and its insureds under the policy of insurance concerned with herein. The stated settlement includes release of all claims of every nature, including all attorney fees or liens, as well as any other claims which could be made by Plaintiff in this action.

FILED

By:

Benjamin C. Faulkner
BENJAMIN C. FAULKNER
PHYLLIS DEWITT
2624 E. 21st Street, Suite 1
Tulsa, Oklahoma 74114
(918) 584-6457

ORDER OF DISMISSAL

Upon the above captioned representation of Plaintiff that the above entitled matter has been fully and completely settled between the parties herein, this Court does Order that this matter be dismissed with Prejudice.

Thomas R. Brett
UNITED STATES DISTRICT COURT JUDGE

Approvals:

By:

Benjamin C. Faulkner
Benjamin C. Faulkner
Phyllis Dewitt

Richard D. Wagner
Richard D. Wagner

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED 24 1982 A

TOM COUNTRYMAN and
PAM COUNTRYMAN,

Plaintiffs,

vs.

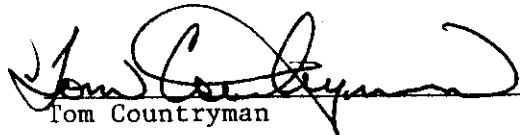
No. 81-C-508-B ✓

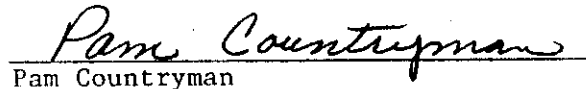
JERRY E. MARTIN, CAL-ARK,
INCORPORATED, and
OCCIDENTAL FIRE AND CASUALTY
COMPANY OF NORTH CAROLINA,

Defendants.


STIPULATION FOR DISMISSAL WITH PREJUDICE

COME NOW the plaintiffs and their attorney and defendants' counsel and would show the Court that this matter has been compromised and settled and therefore move the Court for an Order of Dismissal with Prejudice.


Tom Countryman


Pam Countryman


Coy D. Morrow
Attorney for Plaintiffs


Joseph M. Best
Attorney for Defendants

FILED

ORDER OF DISMISSAL

Now on this 28 day of May, 1982, it appearing to the Court that this matter has been compromised and settled, this case is herewith dismissed with prejudice to the refiling of a future action.


Judge of the District Court

14

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

MAR 24 1982 A

JOHN B. STEWART and
SHERRY STEWART,

Plaintiffs,

vs.

No. 81-C-507-B

JERRY E. MARTIN, CAL-ARK,
INCORPORATED, and
OCCIDENTAL FIRE AND CASUALTY
COMPANY OF NORTH CAROLINA,

Defendants.

STIPULATION FOR DISMISSAL WITH PREJUDICE

COME NOW the plaintiffs and their attorney and defendants' counsel and would show the Court that this matter has been compromised and settled and therefore move the Court for an Order of Dismissal with Prejudice.

John B. Stewart
John B. Stewart

Sherry Stewart
Sherry Stewart

G. B. Morrow
Goy B. Morrow
Attorney for Plaintiffs

Joseph M. Best
Joseph M. Best
Attorney for Defendants

FILED

ORDER OF DISMISSAL

Now on this 28 day of Mar, 1982, it appearing to the Court that this matter has been compromised and settled, this case is herewith dismissed with prejudice to the refiling of a future action.

Howard K. Best
Judge of the District Court

5815

Defendant.

NOTICE OF DISMISSAL

Dated this 26th day of March, 1982.

NANCY A. NESBITT
Assistant United States Attorney

26th day of March, 1982.

Mary A. Nesbitt
Assistant United States At

Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.	)	CIVIL ACTION NO. 82-C-250-E
)	
JAMES L. SMITH, JR.,)	
)	
Defendant.)	

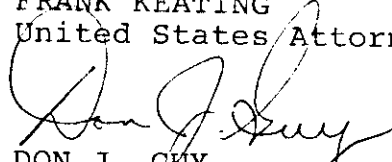
NOTICE OF DISMISSAL

COMES NOW the United States of America by Frank Keating, United States Attorney for the Northern District of Oklahoma, Plaintiff herein, through Don J. Guy, Assistant United States Attorney, and hereby gives notice of its dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure, of this action with prejudice.

Dated this 24th day of March, 1982.

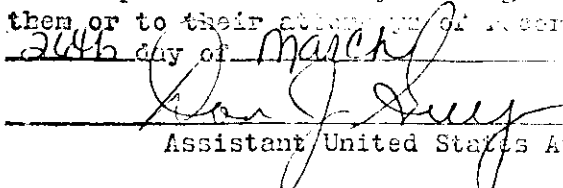
UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney


DON J. GUY
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of the foregoing pleading was served on each of the parties hereto by mailing the same to them or to their attorneys of record on the 24th day of March, 1982.


Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DOUG W. DEPEW,

Defendant.

CIVIL ACTION NO. 82-C-237-E

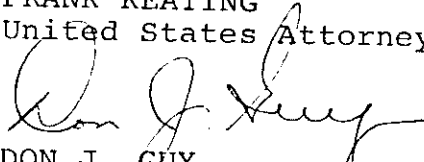
NOTICE OF DISMISSAL

COMES NOW the United States of America by Frank Keating, United States Attorney for the Northern District of Oklahoma, Plaintiff herein, through Don J. Guy, Assistant United States Attorney, and hereby gives notice of its dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure, of this action without prejudice.

Dated this 26th day of March, 1982.

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney


DON J. GUY
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of the foregoing notice of dismissal was served on each of the parties to this action by mailing the same to them or to their attorneys of record on the 24th day of March, 1982.


Assistant United States Attorney

FILED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

MAR 26 1982

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHNIE D. PAYNE,

Defendant.

Jack C. Silver, Clerk
U. S. DISTRICT COURT

CIVIL ACTION NO. 82-C-215-E

NOTICE OF DISMISSAL

COMES NOW the United States of America by
Frank Keating, United States Attorney for the Northern District
of Oklahoma, Plaintiff herein, through Nancy A. Nesbitt,
Assistant United States Attorney, and hereby gives notice of its
dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure,
of this action without prejudice.

Dated this 26th day of March, 1982.

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney

Nancy A. Nesbitt

NANCY A. NESBITT
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy
of the foregoing pleading was served on each
of the parties hereto by mailing the same to
them or to their attorneys of record on the

26th day of March, 1982.

Nancy A. Nesbitt

Assistant United States Attorney

FILED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DONALD R. MISEL,

Defendant.

Jack C. Silver, Clerk
U. S. DISTRICT COURT

CIVIL ACTION NO. 82-C-23-E

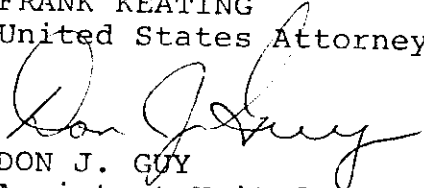
NOTICE OF DISMISSAL

COMES NOW the United States of America by
Frank Keating, United States Attorney for the Northern District
of Oklahoma, Plaintiff herein, through Don J. Guy, Assistant
United States Attorney, and hereby gives notice of its dismissal,
pursuant to Rule 41, Federal Rules of Civil Procedure, of this
action without prejudice.

Dated this 26th day of March, 1982.

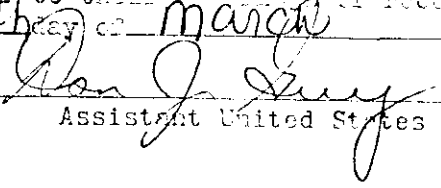
UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney


DON J. GUY
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy
of the foregoing pleading was served on each
of the parties by depositing the same in the
mail or to their attorneys of record on the
26th day of March, 1982.


Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RONNARD E. SHEAR,

Defendant.

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Jack C. Silver, Clerk
U. S. DISTRICT COURT

CIVIL ACTION NO. 82-C-269-C

AGREED JUDGMENT

This matter comes on for consideration this 25th day of March, 1982, the Plaintiff appearing by Frank Keating, United States Attorney for the Northern District of Oklahoma, through Philard L. Rounds, Jr., Assistant United States Attorney, and the Defendant, Ronnald E. Shear, appearing pro se.

The Court, being fully advised and having examined the file herein, finds that the Defendant, Ronald E. Shear, was personally served with Summons and Complaint on March 10, 1982. The Defendant has not filed his Answer but in lieu thereof has agreed that he is indebted to the Plaintiff in the amount alleged in the Complaint and that Judgment may accordingly be entered against him in the amount of \$225.07, plus 12% interest from the date of this Judgment until paid.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover Judgment against the Defendant, Ronnald E. Shear, in the amount of \$225.07, plus 12% interest from the date of this Judgment until paid.

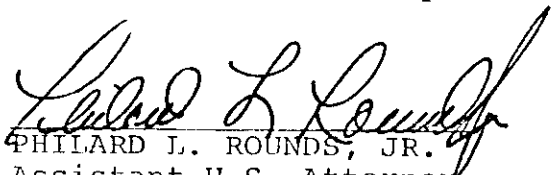
DALE COOK

UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney


PHILARD L. ROUNDS, JR.
Assistant U.S. Attorney


RONNARD E. SHEAR

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

CHAMPLIN PETROLEUM COMPANY,
a Delaware corporation,

Plaintiff,

-vs-

AAA OIL COMPANY, INC., an
Oklahoma corporation, DONALD
F. KIRKLAND, MARY E. KIRKLAND,
HAROLD BURLINGAME & BARBARA
JEAN BURLINGAME,
only
Defendants,

and

DONALD F. KIRKLAND,

Defendant/Third
Party Plaintiff,

-vs-

RONALD L. MITCHELL, JERRY
GILLELAND & ELMER GILLELAND,

Third Party
Defendants.

No. 81-C-643-E

ORDER OF DISMISSAL WITH PREJUDICE

NOW on this 25th day of March, 1982, the
above styled and numbered cause comes on for consideration by the
Court upon the Joint Stipulation for Dismissal of the plaintiff,
Champlin Petroleum Company, and the defendants, Harold Burlingame
and Barbara Jean Burlingame. The Court, having examined the Joint
Stipulation of the parties, finds that the plaintiff and the defen-
dants, Harold Burlingame and Barbara Jean Burlingame, have entered
into a compromise agreement for settlement of the claims of the
plaintiff against these defendants and the cause of action against
said defendants should be dismissed with prejudice pursuant to the
Joint Stipulation.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court
that the cause of action filed by the plaintiff, Champlin Petroleum
Company, as against the defendants, Harold Burlingame and Barbara Jean
Burlingame, be and the same is hereby dismissed with prejudice as to
future filing.

S/ JAMES O. ELLISON

UNITED STATES DISTRICT JUDGE

CERTIFICATE OF MAILING

I hereby certify that on this _____ day of _____, 1982, I mailed a true and correct copy of the foregoing instrument to: William Lane Pennington, Suite 700 Holarud Building, 10 East Third Street, Tulsa, Oklahoma 74103, Attorney for Plaintiff; to Stephen M. Burris, 1924 South Utica, Suite 510, Tulsa, OK 74104, Attorney for Defendant, AAA Oil Company, Inc.; to S. M. Fallis, Jr., and Gerald G. Stamper, Suite 400, Old City Hall Building, 124 East Fourth Street, Tulsa, OK 74103, Attorneys for Defendant, Donald F. Kirkland, all with proper postage thereon fully prepaid.

Rodney A. Edwards

FILED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

MAR 26 1982

UNITED STATES OF AMERICA,
Plaintiff,

vs.

MARK T. FREEMAN,
Defendant.

Jack C. Silver, Clerk
U. S. DISTRICT COURT

CIVIL ACTION NO. 82-C-175-C

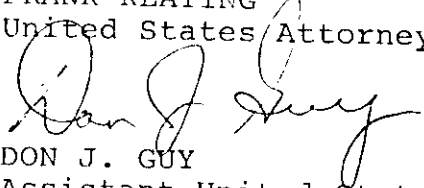
NOTICE OF DISMISSAL

COMES NOW the United States of America by
Frank Keating, United States Attorney for the Northern District
of Oklahoma, Plaintiff herein, through Don J. Guy, Assistant
United States Attorney, and hereby gives notice of its dismissal,
pursuant to Rule 41, Federal Rules of Civil Procedure, of this
action without prejudice.

Dated this 26th day of March, 1982.

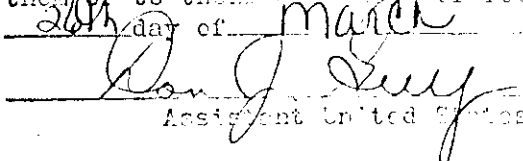
UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney


DON J. GUY
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy
of the foregoing pleading was served on each
of the parties hereto by mailing the same to
them or to their attorneys of record on the
26th day of March, 1982.


Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAR 25 1982

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SIDNEY A. LUCKIE,

Defendant.

Jack C. Silver, Clerk
U. S. DISTRICT COURT

CIVIL ACTION NO. 82-C-329-C

AGREED JUDGMENT

This matter comes on for consideration this 24th day of March, 1982, the Plaintiff appearing by Frank Keating, United States Attorney for the Northern District of Oklahoma, through Nancy A. Nesbitt, Assistant United States Attorney, and the Defendant, Sidney A. Luckie, appearing pro se.

The Court, being fully advised and having examined the file herein, finds that the Defendant, Sidney A. Luckie, was personally served with Summons and Complaint on March 22, 1982. The Defendant has not filed his Answer but in lieu thereof has agreed that he is indebted to the Plaintiff in the amount alleged in the Complaint and that Judgment may accordingly be entered against him in the amount of \$\$507.97, plus 12% interest from the date of this Judgment until paid.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover Judgment against the Defendant, Sidney A. Luckie, in the amount of \$507.97, plus 12% interest from the date of this Judgment until paid.

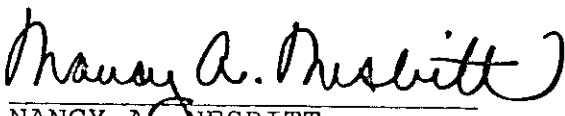
s/H. DALE COOK

UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney


NANCY A. NESBITT
Assistant U.S. Attorney


SIDNEY A. LUCKIE

FILED

Jack C. Silver, Clerk
U. S. DISTRICT COURT

CIVIL ACTION NO.82-C-208-C

Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

GARY E. WILSON,

Defendant.

CIVIL ACTION NO. 82-C-124-C

FILED

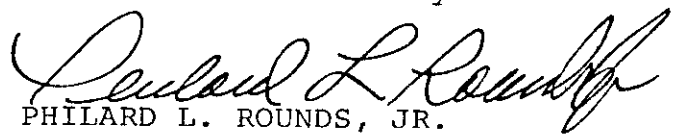
NOTICE OF DISMISSAL

COMES NOW the United States of America by Frank Keating, United States Attorney for the Northern District of Oklahoma, Plaintiff herein, through Philard L. Rounds, Jr., Assistant United States Attorney, and hereby gives notice of its dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure, of this action with prejudice.

Dated this 26th day of March, 1982.

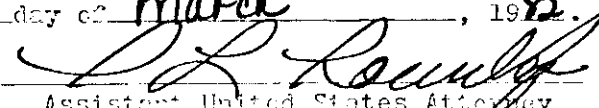
UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney


PHILARD L. ROUNDS, JR.
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of the foregoing pleading was served on each of the parties hereto by mailing the same to them or to their attorneys of record on the 25th day of March, 1982.


Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAR 25 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,)

Plaintiff,)

vs.)

JACK D. HARP)

Defendant.)

CIVIL ACTION NO. 82-C-84-C

NOTICE OF DISMISSAL

COMES NOW the United States of America by
Frank Keating, United States Attorney for the Northern District
of Oklahoma, Plaintiff herein, through Philard L. Rounds, Jr.,
Assistant United States Attorney, and hereby gives notice of its
dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure,
of this action without prejudice.

Dated this 26th day of March, 1982.

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney

Philard L. Rounds
PHILARD L. ROUNDS, JR.
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy
of the foregoing pleading was served on each
of the parties herein, making the same to
them or to their attorneys, as of record on the
25th day of March, 1982.

Philard L. Rounds
Assistant United States Attorney

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

PHYLLIS SHEPARD,

Plaintiff,

-vs-

SEARS, ROEBUCK & COMPANY,
a New York Corporation,

Defendant.

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No. 82 C-5-C

MAR 25 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

ORDER DISMISSING ACTION WITH PREJUDICE

All parties having stipulated to dismiss the above entitled action with prejudice, and it appearing to the Court that the subject matter of this action has been fully compromised and settled between the parties hereto.

IT IS HEREBY ORDERED that the above entitled action be, and the same is hereby dismissed with prejudice.

Dated this 12th day of March, 1982.


UNITED STATES DISTRICT JUDGE

FILED

MAR 25 1982

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk
U. S. DISTRICT COURT

CREDIT UNION OF DODGE CITY,)
a Kansas corporation,)
)
Plaintiff,)
)
vs.) No. 81-C-496-C
)
RAWLEY JUDD DENT,)
)
)
Defendant.)

JOURNAL ENTRY OF JUDGMENT

NOW on this 19th day of February, 1982, the above entitled cause comes on before me, the undersigned Judge of the District Court, for Pretrial. The Plaintiff is represented through its attorney, STANLEY D. MONROE, and the Defendant appears in person, pro se. The Court, being advised that no controversy exist as to any material facts, finds that the Plaintiff be granted judgment herein in the amount of EIGHTEEN THOUSAND FOUR HUNDRED FORTY-TWO AND 92/100 DOLLARS (\$18,442.92), plus interest at the rate of twelve percent (12%) per annum from and after September 21, 1981, cost of this action in the amount of SIXTY AND NO/100 DOLLARS (\$60.00), and a reasonable attorney fee for the use and benefit of Plaintiff's attorney, STANLEY D. MONROE, in the amount of TWO HUNDRED FIFTY AND NO/100 DOLLARS (\$250.00).

s/H. DALE COOK

H. DALE COOK,
Judge of the District Court

APPROVED AS TO FORM:

STANLEY D. MONROE,
Attorney for Plaintiff

RAWLEY JUDD DENT,
Attorney for Defendant

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,

Plaintiff,

vs.

PRESTON G. GADDIS,
Individually and d/b/a
MORNING AMERICAN,

Defendant,

and

HUGH STONE, III,

Intervenor.

No. 81-C-107-C

J U D G M E N T

It is the judgment of the Court that defendant Preston G. Gaddis, Individually and doing business as the Morning American, committed an unlawful employment practice forbidden by Title VII, 42 U.S.C. §2000e-2, when he discharged plaintiff as a photographer's assistant in July 1, 1978 because of his race. For the acts of racial discrimination in employment under Title VII, defendant Preston Gaddis, individually and d/b/a Morning American, is liable to plaintiff and plaintiff-intervenor for \$4,025 in back pay and interest thereon at the legal rate.


It is further ordered that defendant is permanently enjoined, along with his officers, agents, employees, successors, assigns, and all persons in active concert or participation with them, from engaging in any employment practice which discriminates because of race.

Plaintiff-intervenor has also proven intentional racial discrimination in his discharge from employment by defendant under Title 42 U.S.C. §1981 and defendant is liable to

plaintiff-intervenor for \$9,200 in compensatory damages and \$5,000 in punitive damages.

Therefore, judgment is hereby entered in favor of the plaintiff and plaintiff-intervenor and against defendant in the total amount of \$18,225.00.

It is so Ordered this 22nd day of March, 1982.


H. DALE COOK
Chief Judge, U. S. District Court

FILED

Jack C. Silver, Clerk
U. S. DISTRICT COURT

Plaintiff,

VS.

RICHARD P. BRUMBAUGH, JR.

Defendant.

CIVIL ACTION NO. 82-C-201-E

NOTICE OF DISMISSAL

COMES NOW the United States of America by

UNITED STATES OF AMERICA

Maury A. Nesbitt

CERTIFICATE OF SERVICE

25th day of March, 1982.

Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAR 25 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RICHARD J. LONDON,

Defendant.

CIVIL ACTION NO. 82-C-255-E

NOTICE OF DISMISSAL

COMES NOW the United States of America by
Frank Keating, United States Attorney for the Northern District
of Oklahoma, Plaintiff herein, through Nancy A. Nesbitt,
Assistant United States Attorney, and hereby gives notice of its
dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure,
of this action without prejudice.

Dated this 26th day of March, 1982.

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney

Nancy A. Nesbitt

NANCY A. NESBITT
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy
of the foregoing pleading was served on each
of the parties herein by first class mail to
them or to their attorneys as shown on the
25th day of March, 1982.

Nancy A. Nesbitt
Assistant United States Attorney

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

RUSSELL EUGENE HURD,

Plaintiff,

vs.

AMERICAN HOIST AND DERRICK
COMPANY, a Delaware
corporation,

Defendant.

No. 80-C-576-E

FILED

MAR 24 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

J U D G M E N T

This action came on for trial before a Court and a jury, the Honorable James O. Ellison, District Judge, presiding, and the Court on the Motion of plaintiff having directed a verdict for plaintiff as to the issue of defendant's liability only, and the issue of plaintiff's damages having been duly tried and the jury having duly rendered its verdict as to the issue of damages,

IT IS ORDERED AND ADJUDGED that judgment be entered in favor of the plaintiff, Russell Eugene Hurd, and against the defendant, American Hoist and Derrick Company, in the amount of Eighty Thousand and 00/100 Dollars (\$80,000.00) actual damages, plus ten percent (10%) interest from date of filing Complaint to date of Judgment, plus twelve percent (12%) interest from date of Judgment (see Title 12 O.S.A. §727) and all costs.

DATED the 17th day of March, 1982.

S/ JAMES O. ELLISON

JAMES O. ELLISON, UNITED
STATES DISTRICT JUDGE

APPROVED AS TO FORM:

WHITTEN, GOREE, DAVIES AND MADDEN

By David P. Madden
David P. Madden

Attorney for Plaintiff

GERARD K. DONOVAN

By Gerard K. Donovan
Gerard K. Donovan
Attorney for Defendant

United States District Court

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

CIVIL ACTION FILE NO. 77-C-166-E

PAULA WARNE,

Plaintiff

vs.

DAYTON-HUDSON CORPORATION, a
corporation, d/b/a JOHN A. BROWN
COMPANY**JUDGMENT**

This action came on for trial before the Court and a jury, Honorable James O. Ellison, United States District Judge, presiding, and the issues having been duly tried and the jury having duly rendered its verdict.

It is Ordered and Adjudged that having found in favor of the Plaintiff, Paula Warne, and against the Defendant Dayton-Hudson Corporation, a corporation, d/b/a John A. Brown Company, assesses actual damages in the amount of \$61,000.00 and punitive damages in the amount of \$11,500.00. Plaintiff to be awarded cost of action.

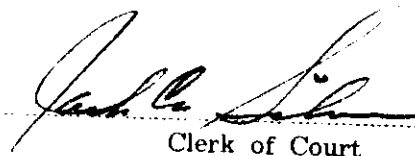
FILED

MAR 24 1982

**Jack C. Silver, Clerk
U. S. DISTRICT COURT**

Dated at Tulsa, Oklahoma
of March 19 1982.

, this 24th day



Clerk of Court

Jack C. Silver

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,

Plaintiff,

vs.

INDEPENDENT SCHOOL DISTRICT NO.
5 OF TULSA COUNTY, OKLAHOMA,

Defendant.

No. 79-C-223-E

FILED

MAR 24 1982

Jack C. Silver, Clerk

FINDINGS OF FACT AND CONCLUSIONS OF LAW U.S. DISTRICT COURT

Now comes the Court and on its own motion delivers its Findings of Fact and Conclusions of Law in the above styled action.

INTRODUCTION

Trial in this action commenced on the 1st day of February, 1982 before this Court sitting without a jury. The Plaintiff, Equal Employment Opportunity Commission, presented its case in chief through the testimony of witnesses and the introduction of documents. The Defendant, Independent School District No. 5 of Tulsa County, Oklahoma (Jenks Public Schools) requested of this Court to be permitted in the interest of judicial economy to present its case in chief upon the cross-examination of Plaintiff's witnesses. The Court granted the request without objection from the Plaintiff.

At the close of Plaintiff's case in chief, the Defendant moved this Court to dismiss the Plaintiff's action. The Court, upon full consideration of all the evidence, authorities and arguments of counsel, granted the Defendant's motion to dismiss, and now issues its written Findings of Fact and Conclusions of Law in the matter.

FINDINGS OF FACT

1. The Defendant School District, during the period of time covered by this litigation, had at best, an imprecise method established to provide for the proper screening and review of teacher employment applications on file with the Defendant District.
2. The screening and hiring practices of the Defendant School District were not well designed or consistent, but instead, appeared to allow for a maximum of discretion on the part of the supervisory and interviewing personnel.

3. The process used for screening and processing employment applications in the Defendant School District appears to have been equally ineffective to both protected and non-protected applicants.
4. During the period from 1978 through 1981, 7.9% of all the teacher applications in the Defendant School District were in the protected age group.
5. During the period from 1978 through 1981, 10.8% of all the persons actually hired as teachers, were in the protected age group.
6. There was no established and ascertainable standard, based on the age of applicants, used as a matter of policy or practice by the Defendant School District in the screening and hiring of teachers.
7. In the instances where applicants not in the protected age group were hired to the exclusion of applicants in the protected age group for a particular position, the Defendant School District presented un rebutted evidence of legitimate business purpose in making those employment decisions.
8. The Plaintiff Equal Employment Opportunity Commission failed to present any evidence whatsoever to rebut the legitimate business purpose shown by the Defendant School District. Plaintiff failed to show, and in fact did not attempt to prove, that Defendant's legitimate business purpose was merely a pretext for discrimination.
9. Plaintiff failed to prove any hidden discriminatory purpose in Defendant's hiring procedure or practice.
10. These Findings of Fact, insofar as they may be deemed to be Conclusions of Law, are hereby incorporated into this Court's Conclusions of Law.

CONCLUSIONS OF LAW

1. Plaintiff showed that the named persons in the protected age group, against whom the discrimination allegedly was perpetrated, had 1) applied for teaching positions with

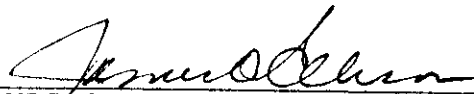
the Defendant School District; 2) possessed at least general teaching qualifications and credentials; and 3) were not hired for the positions applied for. Plaintiff only marginally met the fourth part of the McDonnell Douglas test, that is, following the rejection of persons in the protected age group, that Defendant continued to seek applicants from persons of complaintant's qualifications.

It is further the view of this Court, that Plaintiff failed to meet the spirit of the McDonnell Douglas test as outlined in Furnco Construction Corp. v. Walters, 438 U.S. 567 (1978) which states that the requisite prima facie case under McDonnell Douglas is "... proof of actions taken by the employer from which we infer discriminatory animus because experience has proved that in the absence of any other explanation it is more likely than not those actions were bottomed on impermissible considerations..."

2. Through cross-examination of Plaintiff's witnesses, Defendant sufficiently demonstrated its non-discriminatory business purposes in not hiring the complaining members of the protected age group, to shift the burden back to the Plaintiff to prove that such purposes were in fact pretext for discrimination.
3. Plaintiff, while fully aware of its burden to rebut the non-discriminatory business purposes of Defendant by the offering of pretextual evidence, offered no such evidence and stated to this Court that no pretextual evidence was planned in its case in chief or in rebuttal.
4. This Court concludes that the Plaintiff has failed to prove by competent evidence, discrimination as charged in the complaint and the Defendant's evidence of legitimate non-discriminatory business purpose stands as conclusive in the absence of rebuttal.
5. In consideration of the foregoing Findings of Fact and Conclusions of Law, the Motion to Dismiss made by the Defendant at the close of Plaintiff's case is sustained.
6. These Conclusions of Law, insofar as they may be deemed

to be Findings of Fact, are hereby incorporated into this Court's Findings of Fact.

IT IS THEREFORE ORDERED, that the Defendant's Motion for Involuntary Dismissal at the close of Plaintiff's case, under Rule 41(b) of the Federal Rules of Civil Procedure, is sustained and that this action is hereby dismissed.



JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,

Plaintiff,

vs.

INDEPENDENT SCHOOL DISTRICT NO.
5 OF TULSA COUNTY, OKLAHOMA,

Defendant.

No. 79-C-223-E

FILED

MAR 24 1982

JUDGMENT


Jack C. Silver, Clerk
U. S. DISTRICT COURT

This action came on for trial before the Court, Honorable James O. Ellison, District Judge, presiding, and the issues having been duly tried and Findings of Fact and Conclusions of Law having been duly entered by the Court,

IT IS ORDERED AND ADJUDGED,

That judgment be in favor of the Defendant and against the Plaintiff, and that the Defendant recover its costs of action.

Dated at Tulsa, Oklahoma, this 23rd day of March, 1982.


JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

FILED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

MAR 23 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHAEL A. TUCKER,

Defendant.

82
CIVIL ACTION NO. 80-C-107-C ✓

NOTICE OF DISMISSAL

COMES NOW the United States of America by
Frank Keating, United States Attorney for the Northern District
of Oklahoma, Plaintiff herein, through Don J. Guy, Assistant
United States Attorney, and hereby gives notice of its dismissal,
pursuant to Rule 41, Federal Rules of Civil Procedure, of this
action with prejudice.

Dated this 22nd day of March, 1982.

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney

Don J. Guy
DON J. GUY
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy
of the foregoing pleading was filed on each
of the parties hereto by regular mail to them or to their attorneys of record on the
23rd day of March, 1982.

Don J. Guy
Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

MAR 23 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

THOMAS C. NEWMAN,

Defendant.

CIVIL ACTION NO. 82-C-63-C

NOTICE OF DISMISSAL

COMES NOW the United States of America by
Frank Keating, United States Attorney for the Northern District
of Oklahoma, Plaintiff herein, through Nancy A. Nesbitt,
Assistant United States Attorney, and hereby gives notice of its
dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure,
of this action without prejudice.

Dated this 23rd day of March, 1982.

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney

Nancy A. Nesbitt

NANCY A. NESBITT
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy
of the foregoing complaint was served on each
of the parties to this action, and to
them or to their attorneys, on the
23rd day of March, 1982.

Nancy A. Nesbitt
Assistant United States Attorney

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

PAUL C. MORSE,

Plaintiff,

v.

AETNA LIFE INSURANCE COMPANY
OF HARTFORD, CONNECTICUT, a
foreign insurance corporation,

Defendant.

NO. 81-C-326-E

FILED


MAR 23 1982 *if*

Jack C. Silver, Clerk
U. S. DISTRICT COURT

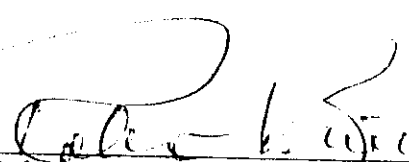
ORDER OF DISMISSAL

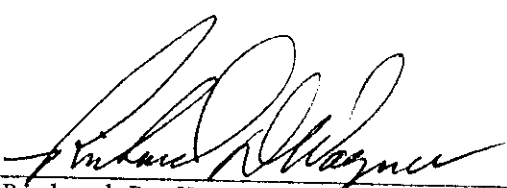
ON This 23rd day of March, 1982, upon the written application of the parties for A Dismissal with Prejudice of the Complaint and all causes of action, the Court having examined said application, finds that said parties have entered into a compromise settlement covering all claims involved in the Complaint and have requested the Court to dismiss said Complaint with prejudice to any further action, and the Court being fully advised in the premises, finds that said Complaint should be dismissed pursuant to said application.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the Complaint and all causes of action of the Plaintiff filed herein against the Defendant be and the same hereby is dismissed with prejudice to any future action.


Judge, District Court of the United
States, Northern District of Oklahoma

Approval:

By: 
Robert M. Butler
Attorney for the Plaintiff,


Richard D. Wagner
Attorney for the Defendant.

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

MAR 23 1982

JOHN G. SMITH, JR.
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CLARK A. BLAKE JR.

Defendant.

CIVIL ACTION NO. 82-C-199-E

NOTICE OF DISMISSAL

COMES NOW the United States of America by
Frank Keating, United States Attorney for the Northern District
of Oklahoma, Plaintiff herein, through Nancy A. Nesbitt,
Assistant United States Attorney, and hereby gives notice of its
dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure,
of this action without prejudice.

Dated this 22nd day of March, 1982.

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney

Nancy A. Nesbitt
NANCY A. NESBITT
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy
of the foregoing pleading was served on each
of the parties hereto by mailing the same to
them or to their attorneys of record on the
23rd day of March, 1982.

Nancy A. Nesbitt
Assistant United States Attorney

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

EQUICO LESSORS, INC.,)
)
Plaintiff,)
)
vs.)
)
CHARLENE WILLIS, DON WILLIS,)
ELAINE WINN AND FRANK E. WINN,)
)
Defendants.)

No. 81-C-83-C

FILED

2:15 PM

O R D E R

Jack C. Silver, Clerk
U. S. DISTRICT COURT

NOW, on this 19th day of March, 1982, the Defendants, Charlene Willis, Don Willis, Elaine Winn and Frank E. Winn, are hereby dismissed with prejudice by stipulation of the Plaintiff and Defendants.

s/H. DALE COOK

JUDGE of the United States
District Court

FILED

MAR 22 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

JOHN ZINK COMPANY,
a Delaware Corporation,
Plaintiff,

vs.

FINNIGAN AIR SYSTEMS, INC.
Defendant.

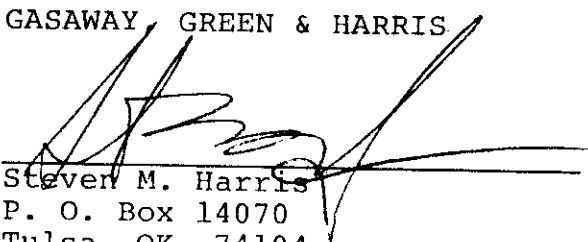
NO. 81-C-588-E

NOTICE OF DISMISSAL

TO: Finnigan Air Systems, Inc.

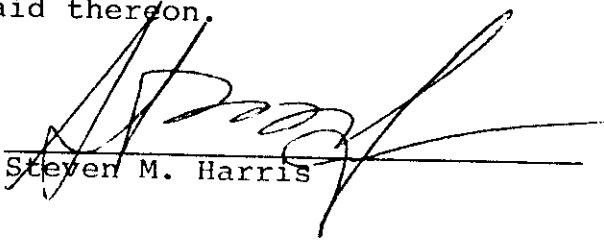
You are hereby notified that John Zink Company,
Plaintiff in the above entitled action, hereby dismisses the
action without prejudice pursuant to Rule 41(a)(1)(i) of the
Federal Rules of Civil Procedure, permitting dismissal by
the Plaintiff, without order of court, by the filing of a
notice of dismissal at any time before service by the
adverse party of an answer or a motion for summary judgment.

GASAWAY GREEN & HARRIS


Steven M. Harris
P. O. Box 14070
Tulsa, OK 74104
(918) 742-0548

CERTIFICATE OF SERVICE

I, Steven M. Harris, do hereby certify that on the 22nd day of March, 1982, I mailed a true and correct copy of the above and foregoing instrument to: Finnigan Air Systems, Inc., 31 Lido Road, Weston Ontario, Canada, M9M 1M7, with proper postage prepaid thereon.


Steven M. Harris

F I L E D

MAR 22 1982

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA
Jack C. Silver, Clerk
U. S. DISTRICT COURT

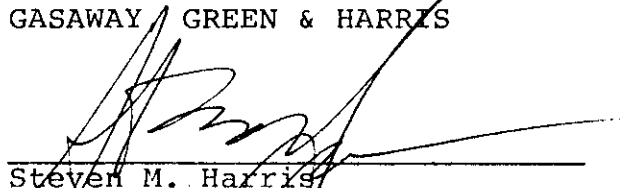
TRIANGLE SUPPLIES, INC.)	
a Louisiana Corporation,)	
)	
Plaintiff,)	
)	
vs.	)	NO. 82-C-173-B
)	
CAL THOMAS, d/b/a H&T)	
PIPE CO.,)	
)	
Defendant.)	

NOTICE OF DISMISSAL

TO: Cal Thomas, d/b/a H&T Pipe Co.

You are hereby notified that Triangle Supplies, Inc., Plaintiff in the above entitled action, hereby dismisses the action without prejudice pursuant to Rule 41(a)(1)(i) of the Federal Rules of Civil Procedure, permitting dismissal by the Plaintiff, without order of court, by the filing of a notice of dismissal at any time before service by the adverse party of an answer or a motion for summary judgment.

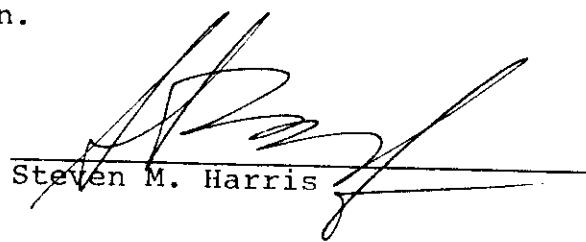
GASAWAY GREEN & HARRIS



Steven M. Harris
P. O. Box 14070
Tulsa, OK 74104
(918) 742-0548

CERTIFICATE OF SERVICE

I, Steven M. Harris, do hereby certify that on the 22nd day of March, 1982, I mailed a true and correct copy of the above and foregoing instrument to: Mr. Carl Thomas, H&T Pipe Co., R. R. 2, Box 24, Beggs, Oklahoma 74421, with proper postage prepaid thereon.


Steven M. Harris

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

ELMER CASH, PEARL CASH, MARY GLUGSTON,))
and FARMERS INSURANCE COMPANY))

Plaintiffs,))

vs.))

No. 79-C-407-BT ✓

CHRYSLER CORPORATION and THE FIRE-))
STONE TIRE AND RUBBER COMPANY, a))
foreign corporation d/b/a DAYTON))
TIRE AND RUBBER COMPANY))

Defendants.))

FILED

MAR 21 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

ORDER OF DISMISSAL

ON this 17th day of March, 1982 upon the
written application of the parties for a Dismissal without Prejudice of the
Complaint and all causes of action, the Court having examined said applica-
tion, finds that said parties have requested the Court to dismiss said
Complaint without prejudice to any future action, and the Court being fully
advised in the premises, finds that said Complaint should be dismissed
pursuant to said application.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the
Complaint and all causes of action of the Plaintiff, Mary Glugston, filed
herein against the Defendants be and the same hereby is dismissed without
prejudice to any future action. It is further ordered that Paul Garrison be
permitted to withdraw as Attorney of Record for Mary Glugston.

Harmon R. Burt
JUDGE, DISTRICT COURT OF THE UNITED
STATES, NORTHERN DISTRICT OF OKLAHOMA

APPROVAL.

Paul E. Garrison
PAUL E. GARRISON

Attorney for the Plaintiffs

William G. Smith
WILLIAM G. SMITH

Attorney for the Defendant,
Chrysler Corporation

Alfred B. Knight
ALFRED B. KNIGHT

Attorney for the Defendant,
Firestone Tire and Rubber Company

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

F I L E D

1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

ELMER CASH, PEARL CASH, MARY GLUGSTON,))
and FARMERS INSURANCE COMPANY))

Plaintiffs,))

vs.))

No. 79-C-407-BT ✓


CHRYSLER CORPORATION and THE FIRE-))
STONE TIRE AND RUBBER COMPANY, a))
foreign corporation d/b/a DAYTON))
TIRE AND RUBBER COMPANY))

Defendants.))

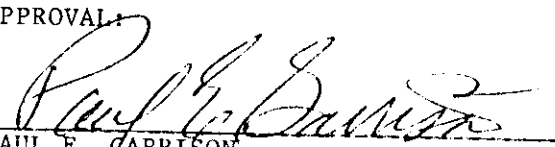
ORDER OF DISMISSAL

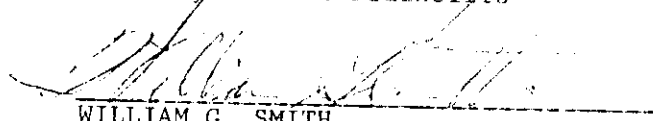
ON this 19th day of March, 1982, upon the
written application of the parties for a Dismissal with Prejudice of the
Complaint and all causes of action, the Court having examined said applica-
tion, finds that said parties have entered into a compromise settlement
covering all claims involved in the Complaint and have requested the Court to
dismiss said Complaint with prejudice to any future action, and the Court
being fully advised in the premises, finds that said Complaint should be
dismissed pursuant to said application.

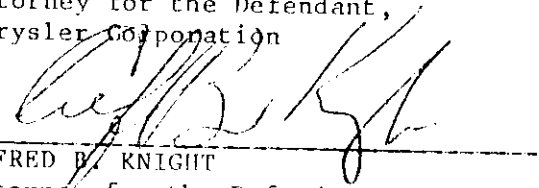
IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the
Complaint and all causes of action of the Plaintiffs, Elmer Cash, Pearl Cash,
and Farmers Insurance Company, filed herein against the Defendants be and the
same hereby is dismissed with prejudice to any future action.


JUDGE, DISTRICT COURT OF THE UNITED
STATES, NORTHERN DISTRICT OF OKLAHOMA

APPROVAL:


PAUL E. GARRISON
Attorney for the Plaintiffs


WILLIAM G. SMITH
Attorney for the Defendant,
Chrysler Corporation


ALFRED D. KNIGHT
Attorney for the Defendant,
Firestone Tire and Rubber Company

United States District CourtFOR THE
NORTHERN DISTRICT OF OKLAHOMA

M. J. BRAGG,

Plaintiff,

CIVIL ACTION FILE NO. 76-C-421-BT ✓

vs.

FORETRAVEL, INC.,

Defendant.

JUDGMENT

This action came on for trial before the Court and a jury, Honorable THOMAS R. BRETT
, United States District Judge, presiding, and the issues having been duly tried and
the jury having duly rendered its verdict, in favor of the Defendant.

It is Ordered and Adjudged that the Plaintiff take nothing and that
the Defendant recover of the Plaintiff its cost of action.

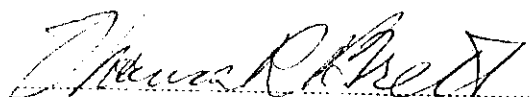
FILED

MAR 19 1982

J. S. DISTRICT COURT

Dated at Tulsa, Oklahoma
of March , 19 82.

, this 19th day

THOMAS R. BRETT
U.S. DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED
MAR 19 1982
Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAMES P. ANTHONY,

Defendant.

CIVIL ACTION NO. 82-C-146-E ✓

NOTICE OF DISMISSAL

COMES NOW the United States of America by
Frank Keating, United States Attorney for the Northern District
of Oklahoma, Plaintiff herein, through Nancy A. Nesbitt,
Assistant United States Attorney, and hereby gives notice of its
dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure,
of this action without prejudice.

Dated this 19th day of March, 1982.

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney

Nancy A. Nesbitt

NANCY A. NESBITT
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy
of the foregoing has been served on each
of the parties to this case, and to
them or to their attorneys.

19th day of March, 1982
Nancy A. Nesbitt
Assistant United States Attorney

FILED

MAR 18 1982

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHAEL J. HEARNE,

Defendant.

CIVIL ACTION NO. 82-C-53-C

NOTICE OF DISMISSAL

COMES NOW the United States of America by
Frank Keating, United States Attorney for the Northern District
of Oklahoma, Plaintiff herein, through Don J. Guy, Assistant
United States Attorney, and hereby gives notice of its dismissal,
pursuant to Rule 41, Federal Rules of Civil Procedure, of this
action with prejudice.

Dated this 17 day of March, 1982.

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney

Don J. Guy

DON J. GUY
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy
of the foregoing was filed with each
of the parties to this case on the
18th day of March, 1982.

Don J. Guy
Assistant United States Attorney

United States District Court)
Northern District of Oklahoma) ss

I hereby certify that the foregoing
is a true copy of the original on file
in this Court.

Jack C. Silver, Clerk

By *A. J. Mancoske*
Deputy

FILED

MAR 18 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LAURA E. ALFORD,

Defendant.

CIVIL ACTION NO. 82-C-145-E

NOTICE OF DISMISSAL

COMES NOW the United States of America by
Frank Keating, United States Attorney for the Northern District
of Oklahoma, Plaintiff herein, through Don J. Guy, Assistant
United States Attorney, and hereby gives notice of its dismissal,
pursuant to Rule 41, Federal Rules of Civil Procedure, of this
action with prejudice.

Dated this 17th day of March, 1982.

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney

Don J. Guy
DON J. GUY
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy
of the foregoing has been served on each
of the parties to the above captioned case to
them or to their attorneys at the
18th day of March, 1982.

Don J. Guy
Assistant United States Attorney

FILED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

MAR 18 1982

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KIRK A. CURLS,

Defendant.

Jack C. Silver, Clerk
U. S. DISTRICT COURT

CIVIL ACTION NO. 82-C-171-C

DEFAULT JUDGMENT

This matter comes on for consideration this 18th day of March, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Don J. Guy, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Kirk A. Curls, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Kirk A. Curls, was personally served with Summons and Complaint on February 17, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Kirk A. Curls, for the principal sum of \$672.60, plus interest at the legal rate (12%) from the date of this Judgment until paid.

151 H. Dale Cook
UNITED STATES DISTRICT JUDGE

FILED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

Mar 18 1982

UNITED STATES OF AMERICA,
Plaintiff,

vs.

EVERETT L. SPADE,
Defendant.

Jack C. Silver, Clerk
U. S. DISTRICT COURT

CIVIL ACTION NO. 82-C-230-E

AGREED JUDGMENT

This matter comes on for consideration this 18 day
of March, 1982, the Plaintiff appearing by Frank Keating,
United States Attorney for the Northern District of Oklahoma,
through Don J. Guy, Assistant United States Attorney, and the
Defendant, Everett L. Spade, appearing pro se.

The Court, being fully advised and having examined the
file herein, finds that the Defendant, Everett L. Spade, was
personally served with Summons and Complaint on March 2, 1982.
The Defendant has not filed his Answer but in lieu thereof has
agreed that he is indebted to the Plaintiff in the amount alleged
in the Complaint and that Judgment may accordingly be entered
against him in the amount of \$1,044.00, plus 12% interest from
the date of this Judgment until paid.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that
the Plaintiff have and recover Judgment against the Defendant,
Everett L. Spade, in the amount of \$1,044.00, plus 12% interest
from the date of this Judgment until paid.

S/ JAMES O. ELLISON

UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney

Don J. Guy
DON J. GUY
Assistant U.S. Attorney

Everett L. Spade
EVERETT L. SPADE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAR 18 1982

UNITED STATES OF AMERICA,
Plaintiff,

vs.

JOHN D. HARMAN,
Defendant.

CIVIL ACTION NO. 82-C-217-E

Jack C. Silver, Clerk
U. S. DISTRICT COURT

AGREED JUDGMENT

This matter comes on for consideration this 18th day
of March, 1982, the Plaintiff appearing by Frank Keating,
United States Attorney for the Northern District of Oklahoma,
through Nancy A. Nesbitt, Assistant United States Attorney, and
the Defendant, John D. Harman, appearing pro se.

The Court, being fully advised and having examined the
file herein, finds that the Defendant, John D. Harman, was
personally served with Summons and Complaint on February 25,
1982. The Defendant has not filed his Answer but in lieu thereof
has agreed that he is indebted to the Plaintiff in the amount
alleged in the Complaint and that Judgment may accordingly be
entered against him in the amount of \$773.67, plus 12% interest
from the date of this Judgment until paid.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that
the Plaintiff have and recover Judgment against the Defendant,
John D. Harman, in the amount of \$773.67, plus 12% interest from
the date of this Judgment until paid.

S/ JAMES O. ELLISON

UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney

Nancy A. Nesbitt
NANCY A. NESBITT
Assistant U.S. Attorney

John D. Harman
JOHN D. HARMAN

FILED

Plaintiff,

No. 81-C-688-E

18 1892

Jack C. Silver, Clerk
U. S. DISTRICT COURT

James O. Ellison
JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

VICTOR A. BAJADA,

Plaintiff,

vs.

LOFFLAND BROTHERS COMPANY,
a corporation,

Defendant.

No. 81-C-584-E

FILED

MAR 18 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

O R D E R

This action was commenced on October 23, 1981. On December 29, 1981, Defendant filed its motion for dismissal, or in the alternative for summary judgment. On January 7, 1982, the Court granted Plaintiff an enlargement of time to February 1, 1982, to respond to said motion. It is now the 17th day of March, 1982, and Plaintiff has failed to respond or seek additional time to do so.

Pursuant to Local Rule 14(a), Rules of the United States District Court for the Northern District of Oklahoma, such failure to respond constitutes a waiver of objections to the motion. Under the circumstances, the Court will grant Defendant's motion to dismiss, but without prejudice.

IT IS THEREFORE ORDERED that Defendant's motion to dismiss be, and the same hereby is, granted, and this action is hereby dismissed without prejudice.

It is so Ordered this 17th day of March, 1982.


JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

TOMMY VAUGHN,

Plaintiff,

vs.

FORD MOTOR CREDIT COMPANY,
a Delaware corporation,

Defendant.

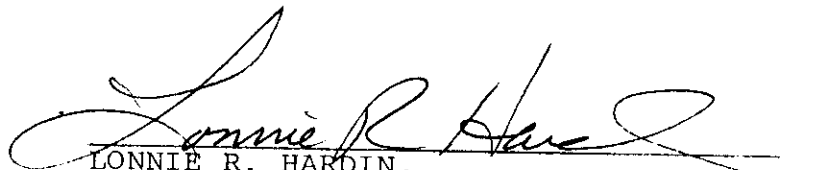
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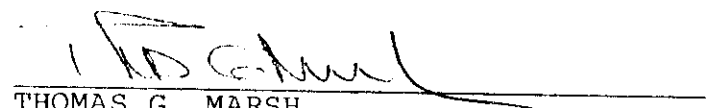
Jack C. Silver, Clerk
U. S. DISTRICT COURT

No. 81-C-327-E ✓

STIPULATION OF DISMISSAL

NOW, on this 25th day of January, 1982, it is hereby stipulated by and between the parties, that the above-captioned matter is hereby dismissed with prejudice, each party to bear its own costs.


LONNIE R. HARDIN,
Attorney for Plaintiff


THOMAS G. MARSH,
Attorney for Defendant

IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

IRVING WEBER,

Plaintiff,

vs.

WILLIAMS PLAZA HOTEL, INC.,
a corporation; and WESTERN
INTERNATIONAL HOTELS COMPANY,
a corporation; and TULSA
PARKING AUTHORITY, a public
trust; and ELLIOTT DAVIS, as
Chairman and a trustee, and
TOM LOTTINVILLE, TOM HENSON,
JAMES INHOFF and NEAL McNEILL,
as trustees of the TULSA
PARKING AUTHORITY, and their
respective successors in
office; and WILLCO PROPERTIES,
INC., a corporation; and
CENTRAL PARKING SYSTEMS OF
TULSA, INC., a corporation;
and JOHN DOE and RICHARD ROE,

Defendants.

FILED

18 82

Jack C. Silver, Clerk
U. S. DISTRICT COURT

Case No. 80-C-663-E

ORDER OF DISMISSAL

Upon the application of the plaintiff and for good
cause shown, this cause of action and Complaint is dismissed
with prejudice.

Entered this 18th March day of January, 1982.

James D. Linn
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAR 18 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

KENNETH A. SNITZ,)
)
Plaintiff,)
)
vs.)
)
HOME LIFE INSURANCE COMPANY,)
a foreign insurance)
corporation,)
)
Defendant.)

No. 80-C-640-E ✓

ORDER OF DISMISSAL WITH PREJUDICE

NOW, on this 18th day of March, 1982, the above styled and numbered cause of action comes on for hearing the Joint Application for Dismissal with Prejudice. The Court, being fully advised in the premises, and having reviewed the Stipulation of Settlement and Joint Application for Order of Dismissal with Prejudice, finds as follows:


1. That the plaintiff and defendant have resolved any and all actions, causes of action, claims, demands, damages, disputes, expenses and losses by and between themselves and that plaintiff has agreed to accept a certain sum of money, and that the defendant has paid that certain sum of money, and that by reason thereof all actions, causes of action, claims, demands, damages, disputes, expenses and losses in connection with the above captioned matter have been amicably resolved.

2. That the parties have made an application for Dismissal of the captioned matter by reason of said settlement and Release of All Claims.


3. That an Order of Dismissal is appropriate.

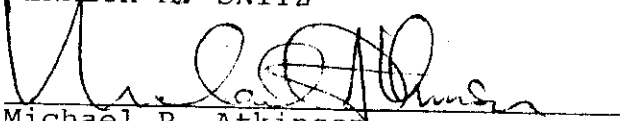
IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the above styled and numbered cause of action be, and the same is hereby dismissed with prejudice to future filing.

DATED the day and year first above written.



JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF OKLAHOMA

APPROVED AS TO FORM:


KENNETH A. SNITZ


Michael P. Atkinson
Attorney for Kenneth A. Snitz

HOME LIFE INSURANCE COMPANY

By 
John R. Woodard III
Attorney for Home Life Insurance Company

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

18 1982

JAMES EDWARD CLAYTON,

Plaintiff,

vs.

GENERAL MOTORS CORPORATION,

Defendant.

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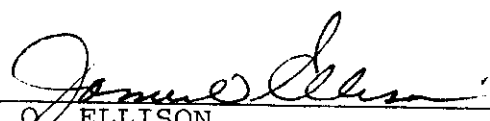
Jack C. Silver, Clerk
U. S. DISTRICT COURT

No. 80-C-579-E

O R D E R

Upon application of the Defendant, for good cause shown, and because the Plaintiff has failed to comply with the Order of this Court regarding a response to this motion, it is hereby ordered that the Plaintiff's action against the Defendant in this matter be dismissed with prejudice.

DATED this 18th day of March, 1982.


JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

MANESS TYPE CO., INC.
an Oklahoma Corporation,

Plaintiff,

-vs-

MONOTYPE CORPORATION, LTD.,
a foreign Corporation,

Defendant.

No. 80-C-512-E

FILED

MAR 18 1982


Jack C. Silver, Clerk
U. S. DISTRICT COURT

ORDER

NOW ON this 11th day of March, 1982, this cause comes on for a pre-trial conference in accordance with a schedule set by the Court. The Plaintiff was not represented by counsel. The Defendant, the Monotype Corporation, Ltd., appeared by its attorneys, Gable, Gotwals, Rubin, Fox, Johnson & Baker, by Elsie Draper.

The Court finding that by Order dated December 21, 1981, Plaintiff had been required to obtain an attorney to represent its interests in this lawsuit within twenty (20) days from the date of that Order; and finding that the Court records did not reflect that any attorney had entered an appearance on behalf of the Plaintiff; inquiring of counsel for the Defendant if she had any knowledge that Plaintiff had obtained counsel; receiving a negative response, the Court found that Plaintiff's cause of action should be dismissed without prejudice; Defendant's request for a default judgment on Count I of its Counter-Claim should be granted; and a hearing on Count II of Defendant's Counter-Claim should be set for 8:30 a.m., April 19, 1982.

It is so ordered this 18th day of March, 1982.


JAMES O. ELLISON
U. S. DISTRICT JUDGE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

FILED

18 1882

Jack C. Silver, Clerk
U. S. DISTRICT COURT

RAYMOND J. DONOVAN, Secretary
of Labor, United States Department
of Labor,

Plaintiff,

v.

TULSA SECURITY PATROL, INC.,
a Corporation and LARRY GASS,
an Individual,

Defendants.

Civil Action File

No. 80-C-138-E

JUDGMENT

Plaintiff has filed his complaint and defendants have waived their defenses and have agreed to the entry of judgment without contest. It is, therefore, upon motion of the plaintiff and for cause shown,

ORDERED, ADJUDGED and DECREED that defendants, their, agents, servants, employees and all persons in active concert or participation with them be and they hereby are permanently enjoined and restrained from violating the provisions of Sections 6, 7, 11(c), 15(a)(2) and 15(a)(5) of the Fair Labor Standards Act of 1938, as amended, 29 U.S.C. Section 201, et seq., hereinafter referred to as the Act, in any of the following manners:

1. Defendants shall not, contrary to sections 6 and 15(a)(2) of the Act, 29 U.S.C. §§ 206 and 215(a)(2), pay any employee who is engaged in commerce or in the production of goods for commerce, or who is employed in an enterprise engaged in commerce or in the production of goods for commerce, within the meaning of the Act, wages at a rate less the minimum hourly rates required by section 6 of the Act.

2. Defendants shall not, contrary to sections 7 and 15(a)(2) of the Act, 29 U.S.C. §§207 and 215(a)(2) employ any employee in commerce or in the production of goods for commerce, or in an enterprise engaged in commerce or in the production of goods for commerce, within the meaning of the Act, for workweeks longer

than forty (40) hours, unless the employee receives compensation for his employment in excess of forty (40) hours at a rate not less than one and one-half times the regular rate at which he is employed.

3. Defendants shall not, contrary to sections 11(c) and 15(a)(5) of the Act, 29 U.S.C. §§211(c) and 215(a)(5), fail to make, keep and preserve adequate and accurate records of the persons employed by them, and the wages, hours and other conditions and practices of employment maintained by them as prescribed by regulations issued by the Administrator of the Employment Standards Administration, United States Department of Labor (29 C.F.R. Part 516).

Defendants have paid minimum wage and overtime compensation in the total amount of \$1,750.00, which the parties agree, and the court finds, is due under the Act to defendants' employees named in Exhibit A attached hereto in the amounts indicated for the period April 15, 1977 through December 31, 1979.


It is further ORDERED, that plaintiff shall promptly proceed to make distribution of such unpaid compensation, less income tax and social security deductions, to defendants' employees named herein in the amounts indicated, or to their estate if necessary. In the event that any of said money cannot be distributed within the period of one (1) year hereof because of inability to locate the proper person, or because of their refusal to accept such sums, the plaintiff shall deposit such funds with the Clerk of this Court who shall forthwith deposit such money with the Treasurer of the United States pursuant to 28 U.S.C. Section 2041.

It is further ORDERED, that each of the parties shall bear its own fees and other expenses incurred by such party in connection with any stage of this proceeding.

Dated this 18th day of March,
1982.


UNITED STATES DISTRICT JUDGE

Defendants waive their
defenses to plaintiff's
complaint and consent
to the entry of this judgment:



DON E. GASAWAY
Attorney for Defendants

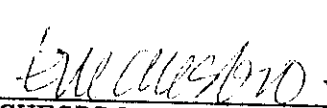
Plaintiff moves for entry of
this judgment:

T. TIMOTHY RYAN, JR.
Solicitor of Labor

JAMES E. WHITE
Regional Solicitor

HERIBERTO DE LEON
Counsel for Employment Standards

By:



EVE CHESBRO
Trial Attorney

Attorneys for RAYMOND J. DONOVAN,
Secretary of Labor, United States
Department of Labor,

Plaintiff.

SOL Case No. 10781

EXHIBIT "A"

<u>Employee</u>	<u>Amount Due</u>
Richard Honeycutt	\$ 673.00
William Kenton	394.00
Richard Taff	<u>683.00</u>
Total	\$1,750.00

FILED

UNITED STATES DISTRICT COURT FOR THE ~~YEAR~~ 18 1982
NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.	)	CIVIL ACTION NO. 82-C-112-B
)	
CLYDE E. JOHNSON,)	
)	
Defendant.)	

DEFAULT JUDGMENT

This matter comes on for consideration this 18th day of March, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Philard L. Rounds Jr., Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Clyde E. Johnson, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Clyde E. Johnson, was personally served with Summons and Complaint on February 3, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Clyde E. Johnson, for the principal sum of \$603.94, plus interest at the legal rate (12%) from the date of this Judgment until paid.

S/ THOMAS R. BRETT

UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED
IN OPEN COURT

MAR 18 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

AMERICAN COLLOID COMPANY,
a Delaware corporation,

Plaintiff,

vs.

HYDRO MUD & CHEMICALS CO., INC.,
an Oklahoma corporation,

Defendant.

No. 81-C-871-B

JOURNAL ENTRY OF JUDGMENT

This cause coming on to be heard this 18th day of March, 1982, the Plaintiff being present by its attorney, James P. McCann, and the said Defendant, Hydro Mud & Chemicals Co., Inc., by Ira L. Edwards, Jr., its attorney; and thereupon the said Defendant filed its Affidavit admitting the amount claimed in the Complaint of the Plaintiff as justly due and owing by said Defendant to Plaintiff and thereupon the said Ira L. Edwards, Jr., attorney for the said Defendant, Hydro Mud & Chemicals Co., Inc., presented his warrant of attorney duly acknowledged by said Defendant, which was thereupon ordered filed with the Clerk of the Court. Thereupon the said Defendant, Hydro Mud & Chemicals Co., Inc., by its attorney, Ira L. Edwards, Jr., in open court confessed judgment of the amount prayed in Plaintiff's Complaint upon the cause of action therein stated to wit:

1. That pursuant to the request of the Defendant, Hydro Mud & Chemicals Co., Inc., its agent and employees, the Plaintiff delivered certain goods and merchandise to the Defendant on an open account with the Plaintiff during calendar year 1981. All said orders for said merchandise were made and/or received within the State of Oklahoma, all at the special insistence and request of the Defendant, Hydro Mud & Chemicals Co., Inc., and its agents and employees.

2. That the Defendant, Hydro Mud & Chemicals Co., Inc., is justly indebted to the Plaintiff in the approximate amount of

Eighty-One Thousand Five Hundred Twenty-One and Fifty-One Cents, (\$81,521.51), as of September 30, 1981, for the goods and merchandise purchased by Defendant from Plaintiff. Further, that Plaintiff is entitled to interest on said sum at the rate of twelve percent (12%) per annum from September 30, 1981.

3. Plaintiff has demanded payment of said account in full, but the Defendant has wholly failed and refused to pay the balance due on said account. Despite Defendant's promise to pay said account, no payments have been paid, leaving a balance owing on said account of \$81,521.51, as of September 30, 1981, together with interest thereon at the rate of twelve percent (12%) per annum.

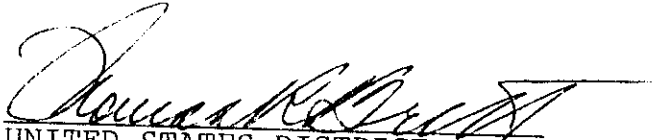
The Court finds that the Court has jurisdiction over the parties and the subject matter hereof by virtue of Title 28 U.S.C. § 1332, based upon the diversity of citizenship of the parties. The amount in controversy exceeds Ten Thousand Dollars (\$10,000), exclusive of interest, costs and attorneys' fees.

The Court further finds that under the laws of the State of Oklahoma the Plaintiff is entitled to interest on its judgment at the rate of twelve percent (12%) per annum and is entitled to a reasonable attorneys' fee, which the parties have mutually agreed to be One Thousand Two Hundred Dollars (\$1,200.00). The Court further finds that the costs of this action are Sixty-nine Dollars and Twenty-eight Cents (\$69.28).

The Court being fully advised further finds that said attorney is duly authorized, that the warrant of attorney and affidavit of Defendant filed herein are in all respects regular and sufficient, and that judgment should be entered for the Plaintiff upon such confession.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED by the Court that the Plaintiff have and recover from the Defendant the sum of Eighty-one Thousand Five Hundred Twenty-one Dollars and Fifty-one Cents (\$81,521.51) plus interest thereon at the rate of twelve percent (12%) per annum from September 30, 1981, to the date of Judgment, and at the rate of twelve percent (12%)

per annum from the date of Judgment until such sum is fully paid; costs in the amount of Sixty-nine Dollars and Twenty-eight Cents (\$69.28); and attorneys' fees in the amount of One Thousand Two Hundred Dollars (\$1,200.00); for all of which let execution issue.


UNITED STATES DISTRICT JUDGE

FILED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

MAR 18 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
CHARLES D. JAMISON,)
)
Defendant.)

CIVIL ACTION NO. 81-C-704-B

DEFAULT JUDGMENT

This matter comes on for consideration this 17th day of March, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Don J. Guy, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Charles D. Jamison, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Charles D. Jamison, was personally served with Summons and Complaint on November 18, 1981. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Charles D. Jamison, for the principal sum of \$290.27, plus interest at the legal rate (12%) from the date of this Judgment until paid.

S/ THOMAS R. BRETT

UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

ANITA VASSAR,

Plaintiff,

vs.

SEARS, ROEBUCK & COMPANY,
A foreign corporation,
THE ROPER CORPORATION, a
foreign corporation,
OUTDOOR POWER EQUIPMENT
INSTITUTE, INC., a foreign
corporation, UNITED STATES
TESTING COMPANY, INC., a
foreign corporation, and
AMERICAN STANDARDS
INSTITUTE, INC., a foreign
corporation,

Defendants.

MAR 18 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT


No. 81-C-864-E

O R D E R

This action was commenced on December 8, 1981. On January 11, 1982, Defendant Outdoor Power Equipment Institute filed its motion for dismissal. On February 1, 1982, Defendant American Standards Institute, filed its motion for dismissal. On February 11, 1982, this Court granted Plaintiff an enlargement of time until March 12, 1982 in which to respond to Defendants' motions to dismiss. It is now the 18, day of March, 1982, and Plaintiff has failed to respond or to seek additional time in which to do so.

Pursuant to Local Rule 14(a), Rules of the United States District Court for the Northern District of Oklahoma, such failure to respond constitutes a waiver of objections to the motions. Under the circumstances, the Court will grant Defendants' motions to dismiss, but without prejudice.

It is so ORDERED this 18th day of March, 1982.


JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

STAN ORLOSKI, DOYLE L. ALEXANDER,)
FRED TILLEY, ALLEN SPURGEON, and)
WILLIAM DON ROGERS, individually)
and as Representatives of a Class)
of Persons,)

Plaintiffs,)

vs.)

No. 79-C-168-E ✓

RONALD A. PATTON, LINDA D.)
PATTON, COFFEYVILLE LIVESTOCK)
SALES COMPANY, INC., a corporation,)
and THE FIRST NATIONAL BANK OF)
FREDONIA, KANSAS, a National)
Banking Association,)

Defendants,)

vs.)

COFFEYVILLE STATE BANK,)

Third Party Defendants.)

FILED

18 82 *jc*

Jack C. Silver, Clerk
U. S. DISTRICT COURT

O R D E R

The Court has before it for consideration, the Findings and Recommendations of the United States Magistrate, filed December 24, 1981, as well as Plaintiffs' petition to set aside those Findings and Recommendations, and the response of the Defendant First National Bank of Fredonia to Plaintiffs' petition to set aside.

After careful review and consideration of the Findings and Recommendations of the Magistrate as well as the arguments and briefs of the parties and the applicable authorities,


IT IS ORDERED that the Findings and Recommendations of the Magistrate, filed December 24, 1981, are adopted by this Court as its own, subject to any exceptions noted below. The Plaintiffs' petition to set aside is denied.

It is therefore the ORDER of this Court that:

1. The combined motions of Pattons and Coffeyville to dismiss or in the alternative to stay proceedings be denied as moot by reason of the Plaintiffs' dismissal of their proceedings before the Department of Agriculture.
2. The Defendant Bank's Motion to Dismiss be sustained as to all named Plaintiffs on jurisdictional grounds because the amount in controversy as to each of the named Plain-

tiffs is not shown to be more than \$10,000 and
the citizenship of the Plaintiffs is not alleged;
provided that the Plaintiffs shall have twenty (20)
days to file an amended complaint alleging citizenship
and amount in controversy as to each of the named
Plaintiffs pursuant to 28 U.S.C. § 1332.

DATED this 18th day of March, 1982.



JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

United States District CourtFOR THE
NORTHERN DISTRICT OF OKLAHOMA

RUSSELL EUGENE HURD,

Plaintiff,

vs.

AMERICAN HOIST & DERRICK CO.,
Defendant.

CIVIL ACTION FILE NO. 80-C-576-E

JUDGMENT

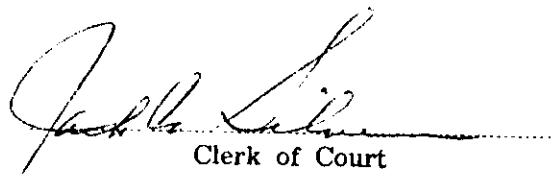
This action came on for trial before the Court and a jury, Honorable James O. Ellison, Judge, United States District Judge, presiding, and the issues having been duly tried and the jury having duly rendered its verdict, in favor of the Plaintiff.

It is Ordered and Adjudged that having found in favor of the Plaintiff and against the Defendant assesses actual damages in the amount of \$80,000.00. Plaintiff to be awarded cost of action.

FILED**MAR 17 1982**Jack C. Silver, Clerk
U. S. DISTRICT COURT

Dated at Tulsa, Oklahoma
of March , 1982 .

, this 17th day


Clerk of Court

e

FILED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA MAR 17 1982

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARK G. GREER,

Defendant.

Jack C. Silver, Clerk
U. S. DISTRICT COURT

CIVIL ACTION NO. 82-C-117-E

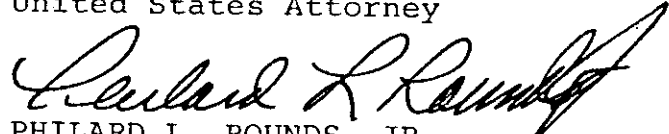
NOTICE OF DISMISSAL

COMES NOW the United States of America by
Frank Keating, United States Attorney for the Northern District
of Oklahoma, Plaintiff herein, through Philard L. Rounds, Jr.,
Assistant United States Attorney, and hereby gives notice of its
dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure,
of this action with prejudice.

Dated this 17th day of March, 1982.

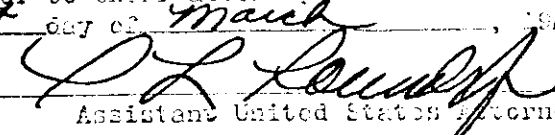
UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney


PHILARD L. ROUNDS, JR.
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy
of the foregoing pleading was served on each
of the parties hereto by mailing the same to
them or to their attorneys of record on the
17th day of March, 1982.


Assistant United States Attorney

FILED

MAR 17 1982

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.	)	CIVIL ACTION NO. 82-C-18-E
)	
DAVID R. DYKE,)	
)	
Defendant.)	

NOTICE OF DISMISSAL

COMES NOW the United States of America by
Frank Keating, United States Attorney for the Northern District
of Oklahoma, Plaintiff herein, through Nancy A. Nesbitt,
Assistant United States Attorney, and hereby gives notice of its
dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure,
of this action without prejudice.

Dated this 17th day of March, 1982.

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney

Nancy A. Nesbitt

NANCY A. NESBITT
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy
of the foregoing complaint was served on each
of the parties herein by the undersigned to
them or to their attorneys on the
17th day of March, 1982.

Nancy A. Nesbitt
Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

16 2

UNITED STATES OF AMERICA,
Plaintiff,

vs.

HENRY G. MILLER,
Defendant.Jack C. Silver, Clerk
U. S. DISTRICT COURT

CIVIL ACTION NO. 81-C-675-E

AGREED JUDGMENT

This matter comes on for consideration this 16 day of March, 1982, the Plaintiff appearing by Frank Keating, United States Attorney for the Northern District of Oklahoma, through Don J. Guy, Assistant United States Attorney, and the Defendant, Henry G. Miller, appearing pro se.

The Court, being fully advised and having examined the file herein, finds that the Defendant, Henry G. Miller, was personally served with Summons and Complaint on December 7, 1981. The Defendant has not filed his Answer but in lieu thereof has agreed that he is indebted to the Plaintiff in the amount alleged in the Complaint and that Judgment may accordingly be entered against him in the amount of \$864.00, plus 12% interest from the date of this Judgment until paid.

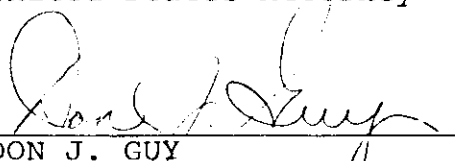
IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover Judgment against the Defendant, Henry G. Miller, in the amount of \$864.00, plus 12% interest from the date of this Judgment until paid.

S/ JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney


DON J. GUY
Assistant U.S. Attorney


HENRY G. MILLER

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

16 22

UNITED STATES OF AMERICA,

Plaintiff,

VS.

ROBERT D. BROOKS,

Defendant.

Jack C. Silver, Clerk
U. S. DISTRICT COURT

CIVIL ACTION NO. 82-C-144-C

DEFAULT JUDGMENT

This matter comes on for consideration this 16th day of March, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Nancy A. Nesbitt, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Robert D. Brooks, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Robert D. Brooks, was personally served with Summons and Complaint on February 11, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Robert D. Brooks, for the principal sum of \$221.60, plus interest at the legal rate (12%) from the date of this Judgment until paid.

W. A. Leback
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

167

Jack C. Silver, Clerk
U. S. DISTRICT COURT

Plaintiff,

VS.

KENNETH W. MOORE,

Defendant.

CIVIL ACTION NO. 81-C-802-C

DEFAULT JUDGMENT

This matter comes on for consideration this 16th day of March, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Philard L. Rounds Jr., Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Kenneth W. Moore, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Kenneth W. Moore, was personally served with Summons and Complaint on January 18, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Kenneth W. Moore, for the principal sum of \$579.66, plus interest at the legal rate (12%) from the date of this Judgment until paid.

151 H. Dale Cook
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAR 16 1982

U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RICHARD P. BRUMBAUGH JR.,

Defendant.

CIVIL ACTION NO. 82-C-201-E

AGREED JUDGMENT

This matter comes on for consideration this 16 day
of March, 1982, the Plaintiff appearing by Frank Keating,
United States Attorney for the Northern District of Oklahoma,
through Nancy A. Nesbitt, Assistant United States Attorney, and
the Defendant, Richard P. Brumbaugh Jr., appearing pro se.

The Court, being fully advised and having examined the
file herein, finds that the Defendant, Richard P. Brumbaugh Jr.,
was personally served with Summons and Complaint on February 24,
1982. The Defendant has not filed his Answer but in lieu thereof
has agreed that he is indebted to the Plaintiff in the amount
alleged in the Complaint and that Judgment may accordingly be
entered against him in the amount of \$299.02, plus 12% interest
from the date of this Judgment until paid.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that
the Plaintiff have and recover Judgment against the Defendant,
Richard P. Brumbaugh Jr., in the amount of \$299.02, plus 12%
interest from the date of this Judgment until paid.

S. JAMES C. GILBERT
UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney

Nancy A. Nesbitt
NANCY A. NESBITT
Assistant U.S. Attorney

Richard P. Brumbaugh Jr.
RICHARD P. BRUMBAUGH JR.

FILED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

16 1982

UNITED STATES OF AMERICA,

Plaintiff,

vs.

WILLIAM D. BABB,

Defendant.

Jack C. Silver, Clerk
U. S. DISTRICT COURT

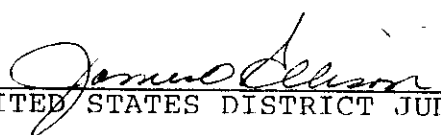
CIVIL ACTION NO. 82-C-83-E

DEFAULT JUDGMENT

This matter comes on for consideration this 16th day of March, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Philard L. Rounds Jr., Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, William D. Babb, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, William D. Babb, was personally served with Summons and Complaint on February 1, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, William D. Babb, for the principal sum of \$1,037.31, plus interest at the legal rate (12%) from the date of this Judgment until paid.


UNITED STATES DISTRICT JUDGE

FILE

16 2

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,
Plaintiff,

vs.

RANDALL E. STOWELL,
Defendant.

CIVIL ACTION NO. 82-C-52-E

AGREED JUDGMENT

This matter comes on for consideration this 16th day of March, 1982, the Plaintiff appearing by Frank Keating, United States Attorney for the Northern District of Oklahoma, through Don J. Guy, Assistant United States Attorney, and the Defendant, Randall E. Stowell, appearing pro se.

The Court, being fully advised and having examined the file herein, finds that the Defendant, Randall E. Stowell, was personally served with Summons and Complaint on January 25, 1982. The Defendant has not filed his Answer but in lieu thereof has agreed that he is indebted to the Plaintiff in the amount alleged in the Complaint and that Judgment may accordingly be entered against him in the amount of \$611.13, plus 12% interest from the date of this Judgment until paid.

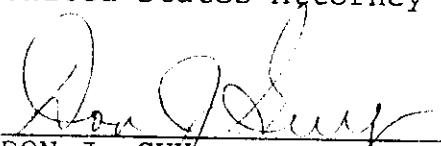
IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover Judgment against the Defendant, Randall E. Stowell, in the amount of \$611.13, plus 12% interest from the date of this Judgment until paid.


UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney


DON J. GUY
Assistant U.S. Attorney


RANDALL E. STOWELL

FILED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

MAR 16 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
MICHAEL L. HODGES,)
)
Defendant.)

CIVIL ACTION NO. 81-C-811-E

DEFAULT JUDGMENT

This matter comes on for consideration this 16 day of March, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Philard L. Rounds Jr., Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Michael L. Hodges, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Michael L. Hodges, was personally served with Summons and Complaint on January 22, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Michael L. Hodges, for the principal sum of \$290.27, plus interest at the legal rate (12%) from the date of this Judgment until paid.

S/ JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

FILED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

1982 MAR 16

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAVID K. JUSTUS,

Defendant.

CIVIL ACTION NO. 81-C-772-E

DEFAULT JUDGMENT

This matter comes on for consideration this 16 day of March, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Nancy A. Nesbitt, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, David K. Justus, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, David K. Justus, was personally served with Summons and Complaint on December 14, 1981. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, David K. Justus, for the principal sum of \$669.00, plus interest at the legal rate (12%) from the date of this Judgment until paid.

5/ JAMES O. NELSON

UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

1872

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHAEL V. VANDEVENTER,

Defendant.

Jack C. Silver, Clerk
U. S. DISTRICT COURT

CIVIL ACTION NO. 81-C-628-E

AGREED JUDGMENT

This matter comes on for consideration this 16 day
of March, 1982, the Plaintiff appearing by Frank Keating,
United States Attorney for the Northern District of Oklahoma,
through Don J. Guy, Assistant United States Attorney, and the
Defendant, Michael V. Vandeventer, appearing pro se.

The Court, being fully advised and having examined the
file herein, finds that the Defendant, Michael V. Vandeventer,
was personally served with Alias Summons and Complaint on
December 22, 1981. The Defendant has not filed his Answer but in
lieu thereof has agreed that he is indebted to the Plaintiff in
the amount alleged in the Complaint and that Judgment may
accordingly be entered against him in the amount of \$742.00, plus
12% interest from the date of this Judgment until paid.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that
the Plaintiff have and recover Judgment against the Defendant,
Michael V. Vandeventer, in the amount of \$742.00, plus 12%
interest from the date of this Judgment until paid.

S/ JAMES G. EUSON
UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney

Don J. Guy
DON J. GUY
Assistant U.S. Attorney

Michael V. Vandeventer 3-12-82
MICHAEL V. VANDEVENTER

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

MAR 16 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

Ralph W. Stowers and Ethel Stowers,))
Plaintiffs,))
v.))
Dayton-Hudson Corporation, d/b/a))
Target Stores,))
Defendant.))

No. 81-C-94-E

ORDER

NOW ON this 16th day of March 1982, upon the parties' Stipulation and request for dismissal with prejudice, the Court finds that nothing further remains to be litigated in this matter and this case is herewith dismissed with prejudice.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the above-captioned cause be and the same is hereby dismissed with prejudice with each party to bear their own costs.

S/ JAMES O. ELLISON

The Honorable James O. Ellison

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

BILL HAMPTON and WANDA HAMPTON,)

Plaintiffs,)

vs.)

NO. 78-C-564-^E

TRUCK INSURANCE EXCHANGE, a)
foreign insurance corporation,)
and the HOME INSURANCE COMPANY,)
a foreign insurance company,)

Defendants.)

FILE

11 16 82
Jack C. Silver, Clerk
U. S. DISTRICT COURT

ORDER OF DISMISSAL

On this 16 day of March, 1982, upon the written application of the parties for a Dismissal with Prejudice of the Complaint and all causes of action, the Court having examined said application, finds that said parties have entered into a compromise settlement covering all claims involved in the Complaint and have requested the Court to dismiss said Complaint with prejudice to any future action, and the Court being fully advised in the premises, finds that said Complaint should be dismissed pursuant to said application.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the Complaint and all causes of action of the Plaintiffs filed herein against the Defendant be and same hereby is dismissed with prejudice to any future action.

ST. THOMAS A. NELSON

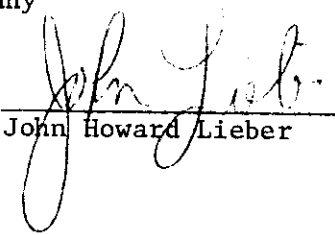
UNITED STATES DISTRICT JUDGE

APPROVALS:

GEORGE FARRAR,

George Farrar
Attorney for the Plaintiffs

KNIGHT, WAGNER, STUART, WILKERSON & LIEBER
Attorneys for the Defendant Home Insurance
Company

By: 
John Howard Lieber

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

16 1982

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
JESUS G. TORRES,)
)
Defendant.)

Jack C. Silver, Clerk
U. S. DISTRICT COURT

CIVIL ACTION NO. 81-C-716-C

DEFAULT JUDGMENT

This matter comes on for consideration this 16th day of March, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Philard L. Rounds Jr., Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Jesus G. Torres, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Jesus G. Torres, was personally served with Summons and Complaint on November 24, 1981. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Jesus G. Torres, for the principal sum of \$491.40, plus interest at the legal rate (12%) from the date of this Judgment until paid.

131 H. Dale Cook
UNITED STATES DISTRICT JUDGE

FILED

MAR 16 1982

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

GREGORY W. ROBERTSON,

Defendant.

CIVIL ACTION NO. 82-C-92-B

DEFAULT JUDGMENT

This matter comes on for consideration this 16th day of March, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Philard L. Rounds Jr., Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Gregory W. Robertson, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Gregory W. Robertson, was personally served with Summons and Complaint on February 1, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Gregory W. Robertson, for the principal sum of \$767.13, plus interest at the legal rate (12%) from the date of this Judgment until paid.



UNITED STATES DISTRICT JUDGE

FILED

MAR 15 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.	)	CIVIL ACTION NO. 82-C-108-E
)	
DWIGHT E. BELL,)	
)	
Defendant.)	

DEFAULT JUDGMENT

This matter comes on for consideration this 15 day of March, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Don J. Guy, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Dwight E. Bell, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Dwight E. Bell, was personally served with Summons and Complaint on February 3, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Dwight E. Bell, for the principal sum of \$404.30, plus interest at the legal rate (12%) from the date of this Judgment until paid.

S/ JAMES O. ELLISON

UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF OKLAHOMA

FILED

MAR 15 1982

**Jack C. Silver, Clerk
U. S. DISTRICT COURT**

DRESSER INDUSTRIES, INC.,
a Delaware corporation,

Plaintiff,

vs.

CEC SUPPLY CO., INC.,
an Oklahoma corporation,

Defendant.

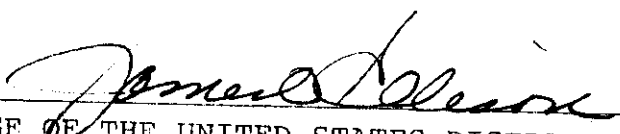
No. 82-C11-E

JUDGMENT ON OFFER AND ACCEPTANCE

Defendant in the above entitled action having served upon plaintiff an offer to allow judgment to be taken against it as hereinafter set forth, and plaintiff having accepted said offer of judgment and each of said parties acknowledge the service of offer and acceptance and each waives proof of service, it is hereby

ORDERED, ADJUDGED AND DECREED that Dresser Industries, Inc., a Delaware corporation, the plaintiff herein, have and recover of the defendant, CEC Supply Co., Inc., an Oklahoma corporation, the sum of \$158,124.63, with interest thereon at the rate of 12% from the 1st day of March, 1982, as provided by law, together with attorney's fees of \$500.00 and for its cost of action in the sum of \$65.00.

DATED the 10th day of March, 1982.


JUDGE OF THE UNITED STATES DISTRICT COURT

FILED

MAR 15 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF OKLAHOMA

DRESSER INDUSTRIES, INC.,
a Delaware corporation,

Plaintiff,

vs.

CHASE EXPLORATION CORPORATION,
an Oklahoma corporation,

Defendant.

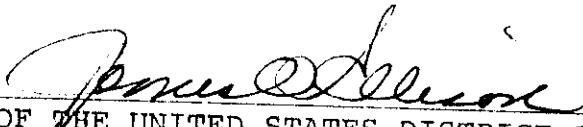
No. 82-C10-F

JUDGMENT ON OFFER AND ACCEPTANCE

Defendant in the above entitled action having served upon plaintiff an offer to allow judgment to be taken against it as hereinafter set forth, and plaintiff having accepted said offer of judgment and each of said parties acknowledge the service of offer and acceptance and each waives proof of service, it is hereby

ORDERED, ADJUDGED AND DECREED that Dresser Industries, Inc., a Delaware corporation, the plaintiff herein, have and recover of the defendant, Chase Exploration Corporation, an Oklahoma corporation, the sum of \$56,451.01, with interest thereon at the rate of 12% from the 1st day of March, 1982, as provided by law, together with attorney's fees of \$500.00 and for its cost of action in the sum of \$65.00.

DATED the 10th day of March, 1982.


JUDGE OF THE UNITED STATES DISTRICT COURT

THE I L E D

Jack C. Silver, Clerk
U. S. DISTRICT COURT

))))))))

CIVIL ACTION NO. 81-C-799-E

))))

)

DEFAULT JUDGMENT

This matter comes on for consideration this 15 day of March, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Nancy A. Nesbitt, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, David H. Smith, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, David H. Smith, was personally served with Summons and Complaint on February 9, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, David H. Smith, for the principal sum of \$721.50, plus interest at the legal rate (12%) from the date of this Judgment until paid.

ST JAMES O. ELLISON

UNITED STATES DISTRICT JUDGE

DWE:as
2/5/82

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FRANCES J. WILLINGHAM,
and LOUIE WILLINGHAM,

Plaintiffs,

vs.

GREYHOUND LINES, INC., a foreign
corporation; and LARRY D. SPENCER,

Defendants.

No. 81-C-845-B

F I L

MAR 15 1982

**Jack C. Silver, Clerk
U. S. DISTRICT COURT**

ORDER OF DISMISSAL

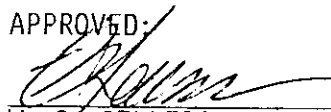
The above matter coming on to be heard this 3 day of February, 1982, upon the written stipulation of the parties for a dismissal of said action with prejudice, the Court, having examined said stipulation, finds that the parties have entered into a compromise settlement covering all claims involved in the action and have requested the Court to dismiss said action with prejudice to any future action, and the Court being fully advised in the premises, finds that said action should be dismissed pursuant to said stipulation.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the action of the plaintiffs filed herein against defendants, be and the same is hereby dismissed with prejudice, to any future action.




U. S. DISTRICT JUDGE

APPROVED:



W. C. SELLERS
P.O. Box 1404
Sapulpa, OK 74067 (918) 224-5357
Attorney for Plaintiffs



EARL L. MILLS and DAVID W. EDMONDS, of
FOLIANT, MILLS & NIEMEYER
2020 First National Center
Oklahoma City, OK 73102
(405) 232-4633
Attorneys for Defendants.

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED
MAR 12 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DENNIS J. HUGHES,

Defendant.

CIVIL ACTION NO. 82-C-21-B

DEFAULT JUDGMENT

This matter comes on for consideration this 12th day of March, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Nancy A. Nesbitt, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Dennis J. Hughes, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Dennis J. Hughes, was personally served with Summons and Complaint on January 20, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Dennis J. Hughes, for the principal sum of \$456.33, plus interest at the legal rate (12%) from the date of this Judgment until paid.

S/ THOMAS R. BRETT

UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAR 12 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

LOIS ELAINE PAYNE,

Plaintiff,

VS.

ROGER WILLIAM HAMLIN,

Defendant.

No. 81-C-603-B

ORDER OF DISMISSAL

ON this 12TH day of March, 1982, upon the written Application of the parties for A Dismissal with Prejudice of the Complaint and all causes of action, the Court having examined said application, finds that said parties have entered into a compromise settlement covering all claims involved in the Complaint and have requested the Court to dismiss said Complaint with prejudice to any future action, and the Court being fully advised in the premises, finds that said Complaint should be dismissed pursuant to said application.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the Complaint and all causes of action of the Plaintiff filed herein against the Defendant be and the same hereby is dismissed with prejudice to any future action.

S/ THOMAS R. BRETT

JUDGE OF THE DISTRICT COURT

APPROVAL:

DENNIS F. SEACAT,

Attorney for Plaintiff.

ROBERT L. BATTOGLIA,

Attorney for Defendant.

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAR 12 1982 *★*

**Jack C. Silver, Clerk
U. S. DISTRICT COURT**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CECIL J. JONES,

Defendant.

CIVIL ACTION NO. 82-C-106-B ✓

DEFAULT JUDGMENT

This matter comes on for consideration this 12th day of March, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Don J. Guy, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Cecil J. Jones, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Cecil J. Jones, was personally served with Summons and Complaint on February 3, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Cecil J. Jones, for the principal sum of \$406.37, plus interest at the legal rate (12%) from the date of this Judgment until paid.

S/ THOMAS R. BRETT

UNITED STATES DISTRICT JUDGE

FILED

MAR 12 1982

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

JOHN C. SMITH, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,
Petitioner,

vs.

C. DWAIN CARNES, PRESIDENT,
OSAGE OIL AND TRANSPORTATION,
INC.,

Respondent.

CIVIL ACTION NO. 82-C-227-B ✓

NOTICE OF DISMISSAL

COMES NOW the Petitioner, United States of America,
by Frank Keating, United States Attorney for the Northern District
of Oklahoma, through Nancy A. Nesbitt, Assistant United States
Attorney, and pursuant to Rule 41(a)(1) of the Federal Rules of
Civil Procedure, dismisses its Petition to Enforce Department of
Energy Subpoena as the Department of Energy intends to withdraw
the subject subpoena.

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney

Nancy A. Nesbitt

NANCY A. NESBITT
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy
of the foregoing pleading was served on each
of the parties hereto by mailing the same to
them or to their attorneys of record on the
12th day of March, 1982.

Nancy A. Nesbitt
Assistant United States Attorney

FILED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

MAR 12 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

GEORGE L. BURKYBILE,

Defendant.

CIVIL ACTION NO. 81-C-800-C

DEFAULT JUDGMENT

This matter comes on for consideration this 15th day of March, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Philard L. Rounds Jr., Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, George L. Burkybile, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, George L. Burkybile, was personally served with Summons and Complaint on December 7, 1981. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, George L. Burkybile, for the principal sum of \$683.20, plus interest at the legal rate (12%) from the date of this Judgment until paid.


UNITED STATES DISTRICT JUDGE

FILED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

MAR 11 1981

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,
Plaintiff,

vs.

DEBORAH E. MCGUIRE,

Defendant.

CIVIL ACTION NO. 82-C-127-E

AGREED JUDGMENT

This matter comes on for consideration this 10th day of March, 1981, the Plaintiff appearing by Frank Keating, United States Attorney for the Northern District of Oklahoma, through Philard L. Rounds Jr., Assistant United States Attorney, and the Defendant, Deborah E. McGuire, appearing pro se.

The Court, being fully advised and having examined the file herein, finds that the Defendant, Deborah E. McGuire, was personally served with Summons and Complaint on February 6, 1982. The Defendant has not filed her Answer but in lieu thereof has agreed that she is indebted to the Plaintiff in the amount alleged in the Complaint and that Judgment may accordingly be entered against her in the amount of \$553.65, plus 12% interest from the date of this Judgment until paid.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover Judgment against the Defendant, Deborah E. McGuire, in the amount of \$553.65, plus 12% interest from the date of this Judgment until paid.

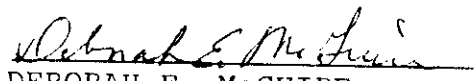

UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney


PHILARD L. ROUNDS JR.
Assistant U.S. Attorney


DEBORAH E. MCGUIRE

FILED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

1-92
Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

REGINALD C. LEWIS,

Defendant.

CIVIL ACTION NO. 82-C-56-E

DEFAULT JUDGMENT

This matter comes on for consideration this 10th day of March, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Don J. Guy, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Reginald C. Lewis, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Reginald C. Lewis, was personally served with Summons and Complaint on February 5, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Reginald C. Lewis, for the principal sum of \$740.00, plus interest at the legal rate (12%) from the date of this Judgment until paid.

UNITED STATES DISTRICT JUDGE

FILED

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Jack C. Silver, Clerk
U. S. DISTRICT COURT

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

HAROLD DEAN GATRELL,)
NORMA GATRELL, and)
KIMBERLY JEAN GATRELL,)
Plaintiffs,)
VS.)
PREFERRED RISK INSURANCE)
COMPANY,)
Defendant.)

CASE NO 81-C-898-E
81-C398-AB

FILED

11-1982

ORDER

Jack C. Silver, Clerk
U. S. DISTRICT COURT

NOW ON THIS 10th day of March, 1982, the above styled cause comes on for hearing on Plaintiff's motion to dismiss. The Court being informed by counsel that defendants have been informed of Plaintiff's request to dismiss and that Defendant's have no objection to this matter being dismissed.

THEREFORE IT IS ORDERED AND ADJUDGED that the above styled cause be dismissed upon Plaintiff's request.

James DeLeon
JUDGE

FILED

MAR 11 1982

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROGER E. HORN,

Defendant.

CIVIL ACTION NO. 81-C-713-E

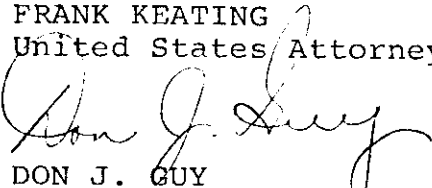
NOTICE OF DISMISSAL

COMES NOW the United States of America by
Frank Keating, United States Attorney for the Northern District
of Oklahoma, Plaintiff herein, through Don J. Guy, Assistant
United States Attorney, and hereby gives notice of its dismissal,
pursuant to Rule 41, Federal Rules of Civil Procedure, of this
action without prejudice.

Dated this 11th day of March, 1982.

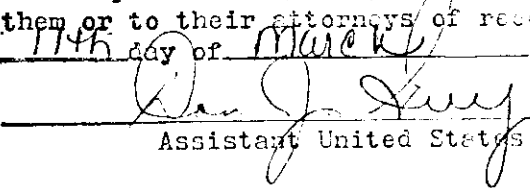
UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney


DON J. GUY
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy
of the foregoing pleading was served on each
of the parties hereto by mailing the same to
them or to their attorneys of record on the
11th day of March, 1982.


Assistant United States Attorney

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

DON A. JENKINS,

Plaintiff,

vs.

No. 78-C-189-E

FRED ASTAIRE NATIONAL DANCE
ASSOCIATION, INC., a Florida
corporation, and RAYMOND
SONNIER, d/b/a FRED ASTAIRE
DANCE STUDIO (Tulsa), d/b/a
H & H STUDIOS, INC., d/b/a
SONNIER & SONS, INC., RICHARD
FELIX, MICHAEL HENDERSON,
LEROY WANT, Jointly and
severally,

Defendants.

FILED

MAR 11 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT


ORDER OF DISMISSAL

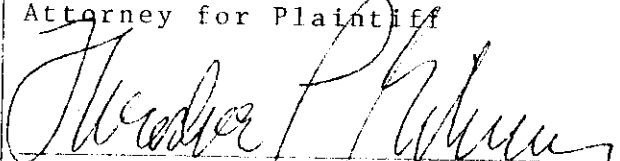
NOW on this 11th day of March, 1982, a stipulation of
dismissal as to the defendants Fred Astaire National Dance
Association, Inc., a Florida corporation, Richard Felix and
Michael Henderson having been presented to the Court and the
Court finds and

IT IS SO ORDERED that the said defendants Fred Astaire
National Dance Association, Inc., a Florida corporation, Richard
Felix and Michael Henderson be dismissed from this cause of
action without prejudice.


JUDGE OF THE DISTRICT COURT

APPROVED:


Thomas S. Vandivort
Attorney for Plaintiff


Theodore P. Gibson
Attorney for defendants,
Fred Astaire National Dance Assoc., Inc.,
Michael Henderson
Richard Felix

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAR 11 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAMES A. LAMB,

Defendant.

CIVIL ACTION NO. 82-C-33-B

DEFAULT JUDGMENT

This matter comes on for consideration this 11th day of March, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Don J. Guy, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, James A. Lamb, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, James A. Lamb, was personally served with Summons and Complaint on January 21, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, James A. Lamb, for the principal sum of \$895.30, plus interest at the legal rate (12%) from the date of this Judgment until paid.

S/ THOMAS R. BRETT

UNITED STATES DISTRICT JUDGE

FILED

MAR 11 1982

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KATHRYN E. HELTON,

Defendant.

CIVIL ACTION NO. 81-C-832-B

DEFAULT JUDGMENT

This matter comes on for consideration this 11th day of March, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Nancy A. Nesbitt, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Kathryn E. Helton, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Kathryn E. Helton, was personally served with Summons and Complaint on January 18, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Kathryn E. Helton, for the principal sum of \$261.60, plus interest at the legal rate (12%) from the date of this Judgment until paid.

S/ THOMAS R. BRETT

UNITED STATES DISTRICT JUDGE

FILED

MAR 11 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

HAL S. NANNY,

Defendant.

CIVIL ACTION NO. 81-C-810-B

DEFAULT JUDGMENT

This matter comes on for consideration this 11th day of March, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Don J. Guy, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Hal S. Nanny, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Hal S. Nanny, was personally served with Summons and Complaint on December 5, 1981. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Hal S. Nanny, for the principal sum of \$812.48, minus a payment of \$25.00, plus interest at the legal rate (12%) from the date of this Judgment until paid.

S/ THOMAS R. BRETT

UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAR 11 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

C. S. SCHARNHORST,

Defendant.

CIVIL ACTION NO. 81-C-748-B

DEFAULT JUDGMENT

This matter comes on for consideration this 11th day of March, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Nancy A. Nesbitt, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, C. S. Scharnhorst, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, C. S. Scharnhorst, was personally served with Summons and Complaint on December 4, 1981. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, C. S. Scharnhorst, for the principal sum of \$789.66, plus interest at the legal rate (12%) from the date of this Judgment until paid.

S/ THOMAS R. BRETT

UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAR 11 1982

**Jack C. Silver, Clerk
U. S. DISTRICT COURT**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROBERT C. McANULTY,

Defendant.

CIVIL ACTION NO. 81-C-621-B

DEFAULT JUDGMENT

This matter comes on for consideration this 11th day of March, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Nancy A. Nesbitt, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Robert C. McAnulty, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Robert C. McAnulty, was personally served with Summons and Complaint on November 12, 1981. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Robert C. McAnulty, for the principal sum of \$471.24, plus interest at the legal rate (12%) from the date of this Judgment until paid.

S/ THOMAS R. BRETT

UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAR 11 1982

UNITED STATES OF AMERICA,
Plaintiff,

vs.

STEVE B. NETHERTON,
Defendant.

)
)
)
)
)
)
)

Jack C. Silver, Clerk
U. S. DISTRICT COURT

CIVIL ACTION NO. 82-C-24-C

DEFAULT JUDGMENT

This matter comes on for consideration this 10th day of March, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Don J. Guy, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Steve B. Netherton, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Steve B. Netherton, was personally served with Summons and Complaint on January 21, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Steve B. Netherton, for the principal sum of \$740.78, plus interest at the legal rate (12%) from the date of this Judgment until paid.

(S) H. Dale Cook

UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

DONNA MULDER, individually,
and on behalf of JENNIFER
MULDER, a minor,

Plaintiff,

vs.

THE ATCHISON, TOPEKA & SANTA
FE RAILWAY COMPANY,

Defendant.

NO. CIV-81-C-115

FILED

MAR 11 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

JOURNAL ENTRY OF JUDGMENT

Now, on this 10th day of March, 1982, the same being one of the regular judicial days of this Court, the above cause came on for hearing in its regular order and pursuant to agreement of counsel before the undersigned assigned Judge. Plaintiff, Donna Mulder, individually and on behalf of Jennifer Mulder, a minor, appeared by Russell, Payne & Farber, her attorneys, and defendant, The Atchison, Topeka and Santa Fe Railway Company, appeared by Rainey, Ross, Rice & Binns, its attorneys, and each of the parties announced ready for trial and also announced that they had agreed to and did waive a jury trial of said action, and had agreed to try the same and submit all issues in said cause to the Court.

The Court having heard the evidence on behalf of plaintiff and defendant, and having considered the pleadings and being well and sufficiently advised in the premises, finds as follows:

1. That Jennifer Mulder, the above named minor child, is the natural daughter of plaintiff, Donna Mulder, said minor child being born July 1, 1975.

2. That the natural father of Jennifer Mulder is unknown and Donna Mulder has the exclusive care and custody of the minor child, Jennifer Mulder, and has had physical custody of the child since her birth.

3. That as natural mother and legal custodian of the minor child, Donna Mulder is the proper party to bring this action on behalf of Jennifer Mulder as her next friend.

After hearing further evidence, argument of counsel, and being fully advised in the premises, the Court finds that judgment should be, and is hereby, entered against the defendant in the total sum of \$25,000 on all claims, said judgment to be entered in accordance with the following:

1. Against the defendant, The Atchison, Topeka and Santa Fe Railway Company, and in favor of plaintiff, Donna Mulder, individually, on her first cause of action in the total sum of \$ \$15,000.⁰⁰ based on all claims of plaintiff individually of whatsoever nature as is set forth in plaintiff's Complaint herein or otherwise, including past and future medical bills, past and future loss of services or wages, subject to payment of her attorneys' fees and costs.

2. Upon consideration of the pleadings and evidence presented herein and being well and duly advised in the premises, the Court finds and orders that the plaintiff, Donna Mulder, as mother and on behalf of Jennifer Mulder, a minor, is entitled to recover of and from the defendant, The Atchison, Topeka and Santa Fe Railway Company, a corporation, on account of the allegations and matters set forth in the second cause of action of the plaintiff's Complaint the sum of \$ \$10,000.⁰⁰. The same is hereby awarded to the plaintiff, Jennifer Mulder, who sues by and through Donna Mulder, as mother and on behalf of Jennifer Mulder, said minor child, as full and complete damages to said minor child as the result of an accident which occurred on or about the 21st day of August, 1979, wherein said minor child was a passenger in an automobile driven by Pearl Swanson, when said automobile collided with a train owned and operated by the defendant, The Atchison, Topeka and Santa Fe Railway Company, in the City of Skedee, Oklahoma, and as a result thereof suffered fractured bones in her face and shoulder and serious lacerations on and about her face.

3. That plaintiff has been represented by the firm of Russell, Payne & Farber throughout these proceedings and the Court finds that a fee for such services should be awarded and


paid from said minor child's award. The Court has reviewed the matter, the complexity of the issues involved, the substantial nature of the recovery in relation to the liability questions presented, and the needs of the minor child. That in light of all of the foregoing, the Court fixes the award of attorney's fees to be payable from the minor child's award herein in the sum of \$ 4,000.00, together with costs reimbursement, which sums shall be deducted and paid from the minor child's portion of the award which is presently payable.

4. The Court further finds that the balance of said sum awarded to Donna Mulder as mother and on behalf of Jennifer Mulder is in excess of \$1,000.00 after deducting attorneys' fees and medical expenses for said minor, and that pursuant to 12 O.S. 1971 §83 the total award, less and except reasonable attorneys' fees and medical expenses shall be deposited with Plumtree National Bank and that the sum so deposited shall be \$ 5,675.00. Any withdrawals of money from such account, until the minor attains the age of eighteen (18) years, shall be solely for the use and benefit and health, education and welfare of said minor child and no withdrawals shall be made from said account except on Order of this Court.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED BY THE COURT that the plaintiff, Donna Mulder, individually, is entitled to judgment against the defendant, The Atchison, Topeka and Santa Fe Railway Company, on the first cause of action in the amount of \$ 15,000.00.

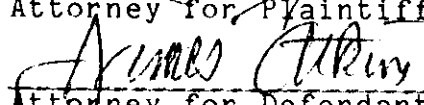
IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that the plaintiff is entitled to judgment against the defendant, The Atchison, Topeka and Santa Fe Railway Company, on the second cause of action wherein Donna Mulder, on behalf of Jennifer Mulder, a minor, shall have and recover from the defendant, The Atchison, Topeka and Santa Fe Railway Company, on her second cause of action, the sum of \$ 10,000.00.

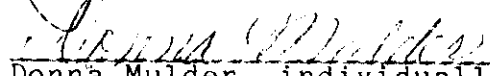
IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that Donna Mulder, as parent and on behalf of Jennifer Mulder, a minor, be authorized to execute the Release and Satisfaction of Judgment to receive any and all monies paid thereon, except as provided herein pursuant to the Order entered in accordance with Title 12 O.S. 1971 §83.

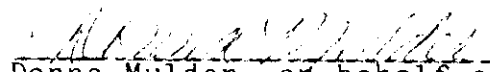

U. S. DISTRICT JUDGE

APPROVED:


Attorney for Plaintiff


Attorney for Defendant


Donna Mulder, individually


Donna Mulder, on behalf of
Jennifer Mulder, a minor

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAR 11 1982

**Jack C. Silver, Clerk
U. S. DISTRICT COURT**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ARTHUR S. WILLIAMS, JR.,

Defendant.

CIVIL ACTION NO. 81-C-814-C

DEFAULT JUDGMENT

This matter comes on for consideration this 10th day of March, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Don J. Guy, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Arthur S. Williams, Jr., appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Arthur S. Williams, Jr., was personally served with Summons and Complaint on December 10, 1981. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Arthur S. Williams, Jr., for the principal sum of \$631.07 (LESS THE SUM OF \$150.00 WHICH HAS BEEN PAID), plus interest at the legal rate (12%) from the date of this Judgment until paid.

151 H. Dale Cook
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAR 11 1982

**Jack C. Silver, Clerk
U. S. DISTRICT COURT**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSEPH W. RAY,

Defendant.

CIVIL ACTION NO. 81-C-744-C

DEFAULT JUDGMENT

This matter comes on for consideration this 10th day of March, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Nancy A. Nesbitt, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Joseph W. Ray, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Nancy A. Nesbitt, was personally served with Summons and Complaint on November 30, 1981. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Joseph W. Ray, for the principal sum of \$877.57 (LESS THE SUM OF \$150.00 WHICH HAS BEEN PAID), plus interest at the legal rate (12%) from the date of this Judgment until paid.

151 W. Dale Cook

UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

JOHN W. LINSKOTT,

Plaintiff,

vs.

GLENN CODDING, Sheriff;
DR. ROBERT KENNEDY,
County Doctor,
Washington County, Oklahoma,

Defendants.

No. 81-C-³⁹⁷~~307~~-C

FILED

MAR 11 1982

ORDER

U. S. District Court
Northern District of Oklahoma

Now before the Court sua sponte is the question of whether the present action should be dismissed as against Dr. George R. Kennedy for failure of the plaintiff to serve Dr. Kennedy with process. On February 8, 1982 the plaintiff was granted twenty-five (25) days to effectuate service of process on Dr. Kennedy. After a careful review of the record in this case the Court concludes that the plaintiff has failed to effectuate such service.

It is therefore the Order of this Court that the present action is dismissed as against Dr. George R. Kennedy for insufficiency of service of process.

It is so Ordered this 11th day of March, 1982.


H. DALE COOK

Chief Judge, U. S. District Court

FILED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CYNTHIA L. STALVEY,

Defendant.

CIVIL ACTION NO. 82-C-91-E

DEFAULT JUDGMENT

This matter comes on for consideration this 10 day of March, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Philard L. Rounds Jr., Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Cynthia L. Stalvey, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Cynthia L. Stalvey, was personally served with Summons and Complaint on February 9, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Cynthia L. Stalvey, for the principal sum of \$621.99, plus interest at the legal rate (12%) from the date of this Judgment until paid.

UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

B. F. GOODRICH COMPANY,)
)
Plaintiff,)

vs.)

No. 80-C-522-C

THE GRAND RIVER DAM AUTHORITY,)
)
Defendant and)
Third Party Plaintiff,)

FILED

and)

AIR PRODUCTS & CHEMICALS,)
INC., et al,)
)
Third Party Defendants.)

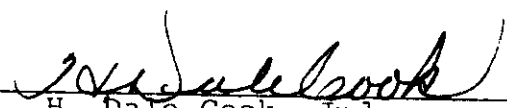
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JOHN C. COOK, CLERK
U. S. DISTRICT COURT

ORDER

Upon motion of the Third Party Defendant, The Marley Company, said party is dismissed from the above captioned suit with each party to bear its own costs.

Dated this 11th day of March, 1982.


H. Dale Cook, Judge
United States District Court

NOTE: THIS ORDER IS FILED
BY MOVING PARTY'S COUNSEL AND
PRO SE LITIGANTS IMMEDIATELY
UPON RECEIPT.

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

KAREN MARIE JONES, IRVING
JONES, and VIRGINIA JONES,

Plaintiffs,

vs.

ST. LOUIS-SAN FRANCISCO
RAILWAY COMPANY, a Missouri
corporation,

Defendant.

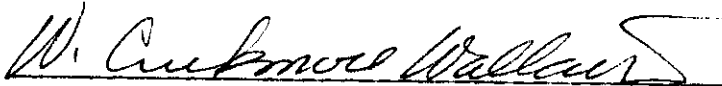
No. 79-C-739-E

FILED

10 2
Jack C. Silver, Clerk
U. S. DISTRICT COURT

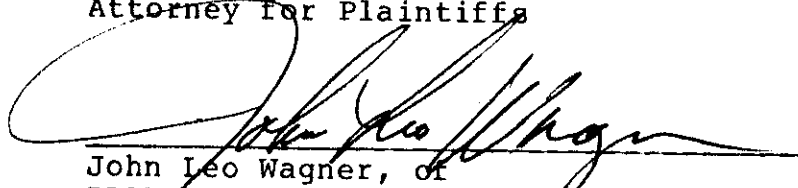
STIPULATION FOR DISMISSAL WITH PREJUDICE

The parties hereto advise the Court they have agreed to fully settle this case and thereby stipulate that plaintiffs' cause of action be dismissed with prejudice, at plaintiffs' cost.



W. Creekmore Wallace, II
15 South Poplar, Suite 107
Post Office Box 90
Sapulpa, Oklahoma 74066

Attorney for Plaintiffs



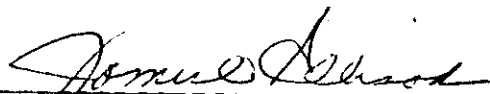
John Leo Wagner, of
FRANKLIN, HARMON & SATTERFIELD, INC.
1606 Park/Harvey Center
Oklahoma City, Oklahoma 73102

Attorneys for Defendant

ORDER

Upon stipulation of the parties and for good cause shown plaintiffs' cause of action against the defendant is hereby dismissed with prejudice to the re-filing of such action, at plaintiffs' cost.

It is so ordered this 10th March day of ~~February~~, 1982.


United States District Judge

F I L E D

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

1982 MAR 10
Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JIMMIE R. DUFFIELD,

Defendant.

CIVIL ACTION NO. 81-C-797-C

DEFAULT JUDGMENT

This matter comes on for consideration this 10th day of March, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Don J. Guy, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Jimmie R. Duffield, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Jimmie R. Duffield, was personally served with Summons and Complaint on January 13, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Jimmie R. Duffield, for the principal sum of \$771.03, plus interest at the legal rate (12%) from the date of this Judgment until paid.

151 H. Dale Cook
UNITED STATES DISTRICT JUDGE

FILED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

1982 MAR 10

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
WILLIE GUNTER, III,)
)
Defendant.)

CIVIL ACTION NO. 81-C-600-C

DEFAULT JUDGMENT

This matter comes on for consideration this 10th day of March, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, for the Northern District of Oklahoma, and the Defendant, Willie Gunter, III, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Willie Gunter, III, was personally served with Summons and Complaint on November 5, 1981. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Willie Gunter, III, for the principal sum of \$1,102.60, plus interest at the legal rate (12%) from the date of this Judgment until paid.

121 H. Dale Cook
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

JIM CRANE HOMES, INC.

Plaintiff,

vs.

ROBERT T. CHASTAIN,
a/k/a TERRY CHASTAIN,

Defendant.

No. 81-C-8-C

FILED

10-10-82

Jack C. Silver, Clerk
U. S. DISTRICT COURT

ORDER OF DISMISSAL WITHOUT

PREJUDICE

On this 10th day of March, 1982, there comes
on for hearing the Application for Order of Dismissal Without Prejudice
of the Plaintiff's cause. The Court, being fully advised, grants
Plaintiff's Application to Dismiss Without Prejudice.

It is so ordered.

151 H. Dale Cook
United States District Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

Mar 10 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNION STANDARD INSURANCE)
COMPANY,)
)
Plaintiff,)
)
vs.)
)
FIRESTONE TIRE AND RUBBER)
COMPANY,)
)
Defendant.)

No. 81-C-425-F

ORDER DISMISSING ACTION

This cause came on to be heard on the parties' Stipulated Motion for Voluntary Dismissal of said cause without prejudice and after hearing counsel for the respective parties and the Court being fully advised, it is

ORDERED that each party shall bear his or its own costs and attorney's fees herein, and that this cause be and the same is hereby dismissed without prejudice.

DATED this 10th day of March 1982.

S/ JAMES O. ELLISON

UNITED STATES DISTRICT JUDGE

FILED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

10 12

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DONNA R. WILSON,

Defendant.

Jack C. Silver, Clerk
U. S. DISTRICT COURT

CIVIL ACTION NO. 81-C-660-E

AGREED JUDGMENT

This matter comes on for consideration this 9th day
of March, 1981, the Plaintiff appearing by Frank Keating,
United States Attorney for the Northern District of Oklahoma,
through Don J. Guy, Assistant United States Attorney, and the
Defendant, Donna R. Wilson, appearing pro se.

The Court, being fully advised and having examined the
file herein, finds that the Defendant, Donna R. Wilson, was
personally served with Summons and Complaint on December 17,
1981. The Defendant has not filed her Answer but in lieu thereof
has agreed that she is indebted to the Plaintiff in the amount
alleged in the Complaint and that Judgment may accordingly be
entered against her in the amount of \$389.33, plus 12% interest
from the date of this Judgment until paid.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that
the Plaintiff have and recover Judgment against the Defendant,
Donna R. Wilson, in the amount of \$389.33, plus 12% interest from
the date of this Judgment until paid.

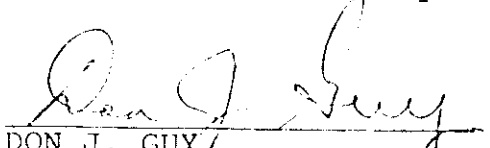
S/ JAMES O. ELLISON

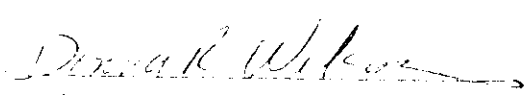
UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney


DON J. GUY
Assistant U.S. Attorney


DONNA R. WILSON

FILED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

MAR 10 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ARTHUR E. O'CONNOR,

Defendant.

CIVIL ACTION NO. 81-C-750-E

DEFAULT JUDGMENT

This matter comes on for consideration this 9th day of March, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Nancy A. Nesbitt, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Arthur E. O'Connor, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Arthur E. O'Connor, was personally served with Summons and Complaint on December 17, 1981. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Arthur E. O'Connor, for the principal sum of \$807.07, plus interest at the legal rate (12%) from the date of this Judgment until paid.

S/ JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

10-10-82

UNITED STATES OF AMERICA,
Plaintiff,

vs.

KENNETH E. WALKENBACH,
Defendant.

Jack C. Silver, Clerk
U. S. DISTRICT COURT

CIVIL ACTION NO. 81-C-757-E

AGREED JUDGMENT

This matter comes on for consideration this 9 day
of March, 1982, the Plaintiff appearing by Frank Keating,
United States Attorney for the Northern District of Oklahoma,
through Don J. Guy, Assistant United States Attorney, and the
Defendant, Kenneth E. Walkenbach, appearing pro se.

The Court, being fully advised and having examined the
file herein, finds that the Defendant, Kenneth E. Walkenbach, was
personally served with Summons and Complaint on December 7, 1981.
The Defendant has not filed his Answer but in lieu thereof has
agreed that he is indebted to the Plaintiff in the amount alleged
in the Complaint and that Judgment may accordingly be entered
against him in the amount of \$400.00, plus 12% interest from the
date of this Judgment until paid.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that
the Plaintiff have and recover Judgment against the Defendant,
Kenneth E. Walkenbach, in the amount of \$400.00, plus 12%
interest from the date of this Judgment until paid.

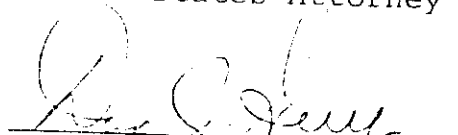
S/ JAMES O. ELISON

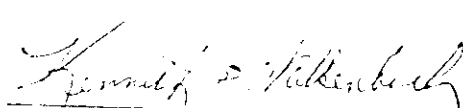
UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney


DON J. GUY
Assistant U.S. Attorney


KENNETH E. WALKENBACH

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

F I L E

10-9

**Jack C. Silver, Clerk
U. S. DISTRICT COURT**

KEVIN DUANE GATRELL,)
Plaintiff,)
VS.)
PREFERRED RISK INSURANCE)
COMPANY,)
Defendant.)

CASE NO. 81-C-897-E

ORDER

NOW ON THIS 9th day of March, 1982, the above styled cause comes on for hearing on Plaintiff's motion to dismiss. The Court being informed by counsel that Defendants have been informed of Plaintiff's request to dismiss and that Defendants have no objection to this matter being dismissed.

THEREFORE IT IS ORDERED AND ADJUDGED that the above styled cause be dismissed upon Plaintiff's request.

S/ JAMES O. ELLISON

JUDGE

FILED

IN THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF OKLAHOMA

MAR - 9 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

THE BOARD OF TRUSTEES OF THE)
PIPELINE INDUSTRY BENEFIT FUND,)
4845 South 83 East Avenue,)
Tulsa, Oklahoma 74145,)
)
Plaintiff,)
)
vs.)
)
DENCIL E. TRUMAN & SONS, INC.,)
Route B, Box 22,)
Newton, West Virginia 25266,)
)
Defendant.)

No. 82-C-68-C

JUDGMENT BY DEFAULT

This matter comes on before me, the undersigned Judge, for hearing this 9th day of March, 1982, upon plaintiff's Motion for Default Judgment filed herein, upon the grounds that the defendant has failed to answer or otherwise plead to the Complaint filed herein, as required by law.

The Court finds that the defendant was duly served with Summons in this case on the 29th day of January, 1982, and is wholly in default herein, and that the plaintiff should have judgment as prayed for in its Complaint filed herein.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff be, and is hereby, awarded a judgment of and from said defendant in the principal sum of \$4,776.00, together with interest thereon at the rate of 10% per annum from the date of judgment until paid in full, plus an attorney's fee in the amount of \$450.00, and the costs of this action that have accrued and will continue to accrue.

131 H. Dale Cook
UNITED STATES DISTRICT JUDGE

United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JESSIE R. LOVE,

Defendant.

CIVIL ACTION NO. 82-C-34-B

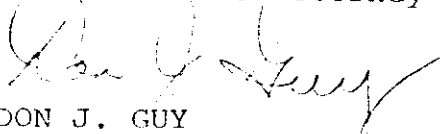
NOTICE OF DISMISSAL

COMES NOW the United States of America by
Frank Keating, United States Attorney for the Northern District
of Oklahoma, Plaintiff herein, through Don J. Guy, Assistant
United States Attorney, and hereby gives notice of its dismissal,
pursuant to Rule 41, Federal Rules of Civil Procedure, of this
action with prejudice.

Dated this 8th day of March, 1982.

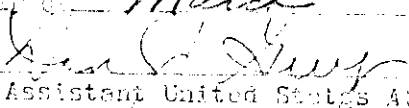
UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney


DON J. GUY
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy
of the foregoing pleading was served on each
of the parties herein by mailing the same to
them or to their attorneys of record on the
9th day of March, 1982


Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PAUL L. THOMSON,

Defendant.

CIVIL ACTION NO. 82-C-105-B

NOTICE OF DISMISSAL

COMES NOW the United States of America by
Frank Keating, United States Attorney for the Northern District
of Oklahoma, Plaintiff herein, through Don J. Guy, Assistant
United States Attorney, and hereby gives notice of its dismissal,
pursuant to Rule 41, Federal Rules of Civil Procedure, of this
action with prejudice.

Dated this 8th day of March, 1982.

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney

Don J. Guy
DON J. GUY
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy
of the foregoing pleading was served on each
of the parties hereto by mailing the same to
them or to their attorneys of record on the
9th day of March, 1982.

Don J. Guy
Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DONALD W. ROBEY,

Defendant.

CIVIL ACTION NO. 81-C-817-B

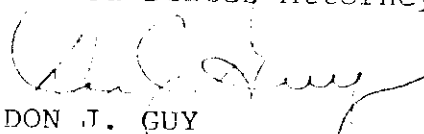
NOTICE OF DISMISSAL

COMES NOW the United States of America by Frank Keating, United States Attorney for the Northern District of Oklahoma, Plaintiff herein, through Don J. Guy, Assistant United States Attorney, and hereby gives notice of its dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure, of this action without prejudice.

Dated this 8th day of March, 1982.

UNITED STATES OF AMERICA

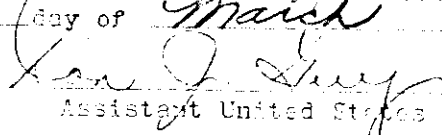
FRANK KEATING,
United States Attorney


DON J. GUY
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of the foregoing pleading was served on each of the parties hereto by mailing the same to them or to their attorneys of record on the

9th day of March, 1982


Assistant United States Attorney

FILED

MAR - 9 1982

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.	)	CIVIL ACTION NO. 82-C-54-C
)	
CARL D. LITTLEJOHN,)	
)	
Defendant.)	

DEFAULT JUDGMENT

This matter comes on for consideration this 9th day of March, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Don J. Guy, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Carl D. Littlejohn, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Carl D. Littlejohn, was personally served with Summons and Complaint on February 16, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Carl D. Littlejohn, for the principal sum of \$594.00, plus interest at the legal rate (12%) from the date of this Judgment until paid.


UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROBERT C. LAIZURE,

Defendant.

CIVIL ACTION NO. 82-C-126-E

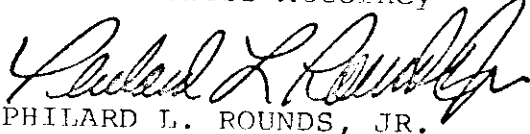
NOTICE OF DISMISSAL

COMES NOW the United States of America by Frank Keating, United States Attorney for the Northern District of Oklahoma, Plaintiff herein, through Philard L. Rounds, Jr., Assistant United States Attorney, and hereby gives notice of its dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure, of this action without prejudice.

Dated this 8th day of March, 1982.

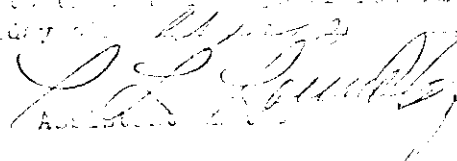
UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney


PHILARD L. ROUNDS, JR.
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing pleading was served on each of the parties by mailing the same to the undersigned at the address of the undersigned on the date of the filing of this certificate.


PHILARD L. ROUNDS, JR.
Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

GENE O. ANDERSON,

Defendant.

CIVIL ACTION NO. 82-C-142-E

NOTICE OF DISMISSAL

COMES NOW the United States of America by
Frank Keating, United States Attorney for the Northern District
of Oklahoma, Plaintiff herein, through Nancy A. Nesbitt,
Assistant United States Attorney, and hereby gives notice of its
dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure,
of this action without prejudice.

Dated this 8th day of March, 1982.

UNITED STATES OF AMERICA

FRANK KEATING

United States Attorney

Nancy A. Nesbitt

NANCY A. NESBITT

Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy
of the foregoing pleading was served on each
of the parties hereto by mailing the same to
them or to their attorneys of record on the
8th day of March, 1982.

Nancy A. Nesbitt

Assistant United States Attorney

IN THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF OKLAHOMA

FILED

BURNING HILLS STEEL COMPANY,)
an Oklahoma corporation;)
ADVENT INVESTMENT CORPORATION,)
and Oklahoma corporation; and)
CHARLES J. FUHR,)
Plaintiffs,)
vs.)
MICHAEL E. TARR,)
Defendant.)

-9-2A
Jack C. Silver, Clerk
U. S. DISTRICT COURT

No. 82-C-141-E ✓

DISMISSAL BY STIPULATION

All parties to the above captioned case hereby stipulate,
pursuant to Rule 41 (a) (1) (ii), Federal Rules of Civil Procedure,
to the dismissal of the above captioned case.

HALL ESTILL, HARDWICK, GABLE,
COLLINGSWORTH & NELSON

By H. D. Dill
Fred S. Nelson
Richard E. Comfort
G. David Davis
John E. Rooney
4100 Bank of Oklahoma Tower
One Williams Center
Tulsa, Oklahoma 74172
918 - 588-2700 /

Attorneys for Defendant

DOERNER, STUART, SAUNDERS,
DANIEL & ANDERSON

By James P. McCann
Sam P. Daniel, Jr.
James P. McCann
1000 Atlas Life Building
Tulsa, Oklahoma 74103
918 - 582-1211

Attorneys for Plaintiffs

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a Surety Co. and
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from the lawsuit.

James O. Ellison,
District Judge

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk
U. S. DISTRICT COURT

United States of America,)	
)	
Plaintiff,	)	CIVIL ACTION NO. 79-C-100-E
)	
vs.	)	Tract No. 269-Part B, Area 3
)	
310.00 Acres of Land, More or	)	As to all interests in the
Less, Situate in Washington	)	estate taken <u>except</u> the oil
County, State of Oklahoma, and	)	and gas leasehold interest.
Dick Ahlden, et al., and)	
Unknown Owners,)	
	)	(Included in Amended D.T.
Defendants.	)	filed in Master File #400-14)

J U D G M E N T

1.

NOW, on this 8th day of March, 1982, this matter comes on for disposition on application of the Plaintiff, United States of America, for entry of judgment on the Report of Commissioners filed herein on December 30, 1981, and the Court, after having examined the files in this action and being advised by counsel for the parties, finds that:

2.

This judgment applies to the entire estate taken in Tract No. 269-Part B, Area 2, as such estate and tract are described in the Amended Complaint filed in this case.

3.

The Court has jurisdiction of the parties and the subject matter of this action.

4.

Service of Process has been perfected personally, as provided by Rule 71A of the Federal Rules of Civil Procedure, on all parties defendant in this cause.

5.

The Acts of Congress set out in paragraph 2 of the Amended Complaint filed herein give the United States of America the right, power and authority to condemn for public use the subject property. Pursuant thereto, on February 13, 1979, the United States of America filed its Declaration of Taking (and on October 2, 1980, filed an

Amendment thereto) of a certain estate in a certain tract of land, and title to such property should be vested in the United States of America, as of the date of filing the original Declaration.

6.

Simultaneously with filing of the Declaration of Taking, there was deposited in the Registry of this Court as estimated compensation for the taking of the described estate in the subject tract a certain sum of money, and all of this deposit has been disbursed, as set out below in paragraph 12.

7.

The Report of Commissioners filed herein on December 30, 1981, hereby is accepted and adopted as findings of fact as to subject tract. The just compensation for the estate taken in the subject tract, as fixed by the Commission, is set out below in paragraph 12.

8.

This judgment will create a deficiency between the amount deposited as estimated just compensation for the estate taken in subject tract and the amount fixed by the Commission and the Court as just compensation, and a sum of money sufficient to cover such deficiency should be deposited by the Government. This deficiency is set out below in paragraph 12.

9.

The defendants named in paragraph 12 as owners of the estate taken in subject tract are the only defendants asserting any interest in such estate. All other defendants having either disclaimed or defaulted, the named defendants were (as of the date of taking) the owners of the estate condemned herein and, as such, are entitled to receive the just compensation awarded by this judgment.

10.

It Is, Therefore, ORDERED, ADJUDGED and DECREED that the United States of America has the right, power and authority to condemn for public use the subject tract, as it is described in the Amended Complaint filed herein, and such property, to the extent of

the estate described in such Amended Complaint is condemned, and title thereto is vested in the United States of America, as of February 13, 1979, and all defendants herein and all other persons are forever barred from asserting any claim to such estate.

11.

It Is Further ORDERED, ADJUDGED and DECREED that on the date of taking in this case, the owners of the estate taken herein in subject tract were the defendants whose names appear below in paragraph 12, and the right to receive the just compensation for such estate is vested in the parties so named.

12.

It Is Further ORDERED, ADJUDGED and DECREED that the Report of Commissioners filed herein on December 30, 1981, hereby is confirmed and the sum therein fixed is adopted as the award of just compensation for the estate taken in subject tract, as shown by the following schedule:

TRACT NO. 269-Part B, Area 3

OWNERS: Dick Ahlden and
Dortha Ahlden

Award of just compensation pursuant to Commissioners' Report -----	\$256,515.00	\$256,515.00
Deposited as estimated compensation --	9,470.50	
Disbursed to owners -----		<u>9,470.50</u>
Balance due to owners -----		<u>\$247,044.50</u> plus interest
Deposit deficiency -----	\$247,044.50	

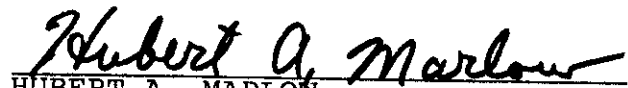
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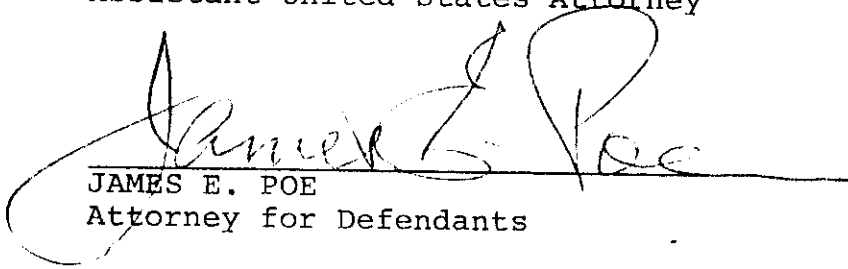
It Is Further ORDERED, ADJUDGED and DECREED that the United States of America shall pay into the Registry of this Court for the benefit of the owners the deposit deficiency for the subject tract as shown in paragraph 12, in the total amount of \$247,044.50, together with interest on such deficiency at the rate of 6% per annum from February 13, 1979, until the date of deposit of such deficiency sum; and such sum shall be placed in the deposit for subject tract in this civil action.

After such deficiency deposit has been made, the Clerk of this Court shall disburse the entire sum then on deposit for the subject tract, jointly, to Dick Ahlden and Dortha Ahlden.


UNITED STATES DISTRICT JUDGE

APPROVED:


HUBERT A. MARLOW
Assistant United States Attorney


JAMES E. POE
Attorney for Defendants

F I L E D

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

-0-12

Jack C. Silver, Clerk
U. S. DISTRICT COURT

United States of America,)	
)	
Plaintiff,	)	CIVIL ACTION NO. 79-C-103-E
)	
vs.	)	Part A of Tract 312, and Tracts
	)	312E-1, 312E-2, 312E-3, 312E-4
128.38 Acres of Land, More or	)	and 312E-5
Less, Situate in Washington)	
County, State of Oklahoma, and	)	As to the oil and gas leasehold
Browder & Ratcliff, a Co-	)	interest only in the estate
partnership, et al., and	)	taken.
Unknown Owners,)	
	)	(Included in D.T. filed in
Defendants.	)	Master File #400-14)

United States of America,)	
)	
Plaintiff,	)	CIVIL ACTION NO. 79-C-106-E
)	
vs.	)	Tracts Nos. 320E, 327-1,
	)	327E-1 and 327E-2
48.59 Acres of Land, More or)	
Less, Situate in Washington	)	As to the <u>Working Interest</u>
County, State of Oklahoma, and	)	<u>only</u> in the oil and gas lease-
Browder & Ratcliff, a Co-	)	hold interest in the estate
partnership, et al., and	)	taken.
Unknown Owners,)	
	)	(Included in D. T. filed in
Defendants.	)	Master File #400-14)

J U D G M E N T

1.

NOW, on this 8th day of March, 1982, this matter comes on for disposition on application of the Plaintiff, United States of America, for entry of judgment on the Report of Commissioners filed herein on December 30, 1981, and the Court, after having examined the files in this action and being advised by counsel for the parties, finds that:

2.

This judgment applies to the entire estate condemned in Tracts Nos. Part A of Tract 312, 312E-1, 312E-2, 312E-3, 312E-4, 312E-5 and 320E, 327-1, 327E-1 and 327E-2, as such estate and tracts are described in the Complaints filed in these actions.

3.

The Court has jurisdiction of the parties and the subject matter of these actions.

4.

Service of Process has been perfected personally, as provided by Rule 71A of the Federal Rules of Civil Procedure, on all parties defendant in this cause.

5.

The Acts of Congress set out in paragraph 2 of the Complaints filed herein give the United States of America the right, power and authority to condemn for public use the subject property. Pursuant thereto, on February 13, 1979, the United States of America filed its Declaration of Taking of a certain estate in such tracts of land, and title to such property should be vested in the United States of America, as of the date of filing such instrument.

6.

Simultaneously with filing of the Declaration of Taking, there was deposited in the Registry of this Court as estimated compensation for the taking of the described estate in the subject tracts a certain sum of money, and none of this deposit has been disbursed, as set out below in paragraph 12.

7.

The Report of Commissioners filed herein on December 30, 1981, hereby is accepted and adopted as findings of fact as to subject tracts. The amount of just compensation as to the estate taken in subject tracts, as fixed by the Commission, is set out below in paragraph 12.

8.

This judgment will create a deficiency between the amount deposited as estimated just compensation for the estate taken in subject tracts and the amount fixed by the Commission and the Court as just compensation, and a sum of money sufficient to cover such deficiency should be deposited by the Government. This deficiency is set out below in paragraph 12.

9.

The land records of Washington County, Oklahoma show some 13 persons or companies having some interest in the subject property, but to date no evidence has been presented to the Court showing what

interest is held by each owner. Therefore, a determination of the exact ownership of subject property should be reserved until after such ownership evidence has been presented and examined by the Court.

10.

It Is, Therefore, ORDERED, ADJUDGED and DECREED that the United States of America has the right, power and authority to condemn for public use the subject tracts, as such tracts are described in the Complaints filed herein, and such property, to the extent of the estate described in such Complaints is condemned, and title thereto is vested in the United States of America, as of February 13, 1979, and all defendants herein and all other persons are forever barred from asserting any claim to such estate.

11.

It Is Further ORDERED, ADJUDGED and DECREED that determination of the ownership of the subject property as of the date of taking is hereby reserved until after such time as evidence of ownership sufficient for such determination has been presented to the Court.

12.

It Is Further ORDERED, ADJUDGED and DECREED that the Report of Commissioners filed herein on December 30, 1981, hereby is confirmed and the sum therein fixed is adopted as the award of just compensation for the taking of the subject property, as shown by the following schedule:

TRACTS NOS.:		
Part A of Tract 312, 312E-1 through 312E-5 and		
<u>320E, 327-1, 327E-1 & 327E-2, Combined</u>		
OWNERS:	To be determined later.	
Award of just compensation pursuant to Commissioners' Report -----	\$341,800.00	\$341,800.00
Deposited as estimated compensation:		
C.A. 79-C-103 -	\$6,580.00	
C.A. 79-C-106 -	<u>\$2,271.00</u>	
Total -----	\$ 8,851.00	
Disbursed to owners -----		<u>None</u>
Balance due to owners -----		\$341,800.00
		plus
Deposit deficiency -----	\$332,949.00	interest
<hr/>		

13.

It Is Further ORDERED, ADJUDGED and DECREED that the United States of America shall pay into the Registry of this Court for the benefit of the owners the deposit deficiency for the subject tracts as shown in paragraph 12, in the total amount of \$332,949.00, together with interest on such deficiency at the rate of 6% per annum from February 13, 1979, until the date of deposit of such deficiency sum; and such sum shall be placed in the deposit for Civil Action No. 79-C-103E.

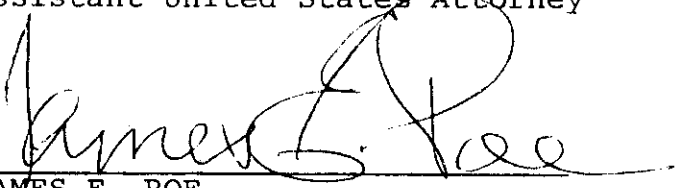
14.

It Is Further ORDERED that a proper order of disbursal of the award made in these cases will be entered as soon as ownership of the subject property has been determined by the Court.


UNITED STATES DISTRICT JUDGE

APPROVED:


HUBERT A. MARLOW
Assistant United States Attorney


JAMES E. POE
Attorney for Defendants

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk
U. S. DISTRICT COURT

United States of America,)	
)	
Plaintiff,	)	CIVIL ACTION NO. 79-C-105-E
)	
vs.	)	Tracts Nos. 320E, 327-1,
	)	327E-1 and 327E-2
48.59 Acres of Land, More or)	
Less, Situate in Washington	)	As to all interests in the
County, State of Oklahoma,	)	estate taken <u>except</u> the oil
and Frances Ann Butler, et al.,	)	and gas leasehold interest.
and Unknown Owners,)	
	)	(Included in D.T. filed in
Defendants.	)	Master File #400-14)

J U D G M E N T

1.

Now, on this 8th day of March, 1982, this matter comes on for disposition on application of the Plaintiff, United States of America, for entry of judgment on the Report of Commissioners filed herein on December 30, 1981, and the Court, after having examined the files in this action and being advised by counsel for the Plaintiff, finds that:

2.

This judgment applies to the entire estate condemned in Tracts Nos. 320E, 327-1, 327E-1 and 327E-2, as such estate and tracts are described in the Complaint filed in this action.

3.

The Court has jurisdiction of the parties and the subject matter of this action.

4.

Service of Process has been perfected either personally or by publication notice, as provided by Rule 71A of the Federal Rules of Civil Procedure, on all parties defendant in this cause.

5.

The Acts of Congress set out in paragraph 2 of the Complaint filed herein give the United States of America the right, power and authority to condemn for public use the property described above in paragraph 2. Pursuant thereto, on February 13, 1979, the United States of America filed its Declaration of Taking

of a certain estate in such tracts of land, and title to such property should be vested in the United States of America as of the date of filing such instrument.

6.

Simultaneously with filing the Declaration of Taking, there was deposited in the Registry of this Court as estimated compensation for the described estate taken in the subject tracts a certain sum of money, and none of this deposit has been disbursed, as set out below in paragraph 12.

7.

The Report of Commissioners filed herein on December 30, 1981 is accepted and adopted as findings of fact as to subject tracts. The amount of just compensation for the estate taken in the subject tracts, as fixed by the Commission, is set out below in paragraph 12.

8.

This judgment will create a deficiency between the amount deposited as estimated just compensation for the estate taken in subject tracts and the amount fixed by the Commission and the Court as just compensation, and a sum of money sufficient to cover such deficiency should be deposited by the Government. This deficiency is set out below in paragraph 12.

9.

The defendants named in paragraph 12 as owners of the estate taken in subject tracts are the only defendants asserting any interest in such estate. All other defendants having either disclaimed or defaulted, the named defendants were, (as of the date of taking) the owners of the estate condemned herein, and, as such, are entitled to receive the just compensation awarded by this judgment.

10.

It Is, Therefore, ORDERED, ADJUDGED and DECREED that the United States of America has the right, power and authority to condemn for public use the subject tracts, as they are described in the Complaint filed herein, and such property, to the extent of the

estate described in such Complaint, is condemned, and title thereto is vested in the United States of America, as of February 13, 1979, and all defendants therein and all other persons are forever barred from asserting any claim to such estate.

11.

It Is Further ORDERED, ADJUDGED and DECREED that on the date of taking in this case, the owners of the estate taken herein in subject tracts were the defendants whose names appear below in paragraph 12, and the right to receive the just compensation for such estate is vested in the parties so named.

12.

It Is Further ORDERED, ADJUDGED and DECREED that the Report of Commissioners filed herein on December 30, 1981, hereby is confirmed and the sum therein fixed is adopted as the award of just compensation for the taking of the subject property, as shown in the following schedule:

TRACTS NOS. 320E, 327-1, 327E-1 & 327E-2

OWNERS:

E. J. Browder and	
J. L. Ratcliff, d/b/a	
Browder and Ratcliff, a co-partnership	--- 1/4
Frances Ann Butler	----- 1/8
Mary Jane Snell	----- 1/8
John Howard	----- 1/6
Otis Edens	----- 1/6
Albert Edens	----- 1/6

Award of just compensation pursuant		
to Commissioners Report	----- \$12,940.00	\$12,940.00
Deposited as estimated compensation	- 991.00	
Disbursed to owners	-----	<u>None</u>
Balance due to owners	-----	\$12,940.00
Deposit deficiency	----- \$11,949.00	

13.

It Is Further ORDERED, ADJUDGED and DECREED that the United States of America shall pay into the Registry of this Court for the benefit of the owners the deposit deficiency for the subject tracts as shown in paragraph 12, in the total amount of \$11, 949.00, together with interest on such deficiency at the rate of 6% per annum from February 13, 1979, until the date of deposit

of such deficiency sum; and such sum shall be placed in the deposit for subject tracts in this civil action.


After such deficiency deposit has been made, the Clerk of this Court shall disburse from the deposit in this case certain sums as follows:

To: E. J. Browder and
J. L. Ratcliff, d/b/a
Browder and Ratcliff,
a co-partnership ----- 1/4
Otis Edens ----- 1/6
Albert Edens ----- 1/6

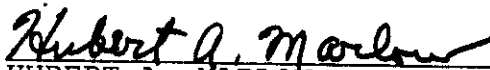
14.

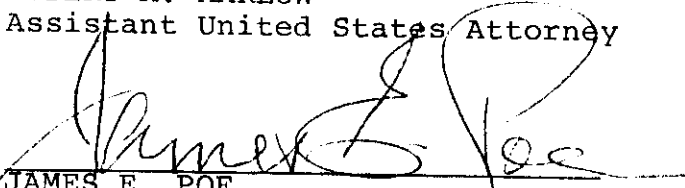
It Is Further ORDERED that the share of the subject award due to Frances Ann Butler, Mary Jane Snell and John Howard shall not be disbursed at the present time because the addresses of said defendants are now unknown. In the event said defendants are located, the Court will enter an appropriate order of disbursal.

In the event that the balance due to such defendants remains on deposit for a period of five years from the date of filing this Judgment, then, after that period, the Clerk of this Court, without further order shall disburse the balance on deposit for subject tracts to the Treasurer of the United States of America, pursuant to the provisions of Title 28, Section 2042, U.S.C.


UNITED STATES DISTRICT JUDGE

APPROVED:


HUBERT A. MARLOW
Assistant United States Attorney


JAMES E. POE
Attorney for Defendants

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk
U. S. DISTRICT COURT

United States of America,)	
)	
Plaintiff,	)	CIVIL ACTION NO. 79-C-96-E
)	
vs.	)	Tract No. 269-Part B, Area 1
)	
30.00 Acres of Land, More or	)	As to all interests in the
Less, Situate in Washington	)	estate taken except the
County, State of Oklahoma, and	)	oil and gas leasehold
Dick Ahlden, et al., and	)	interest
Unknown Owners,)	
	)	(Included in Amended D.T.
Defendants.	)	filed in Master File #400-14)

J U D G M E N T

1.

NOW, on this 8th day of March, 1982, this matter comes on for disposition on application of the Plaintiff, United States of America, for entry of judgment on the Report of Commissioners filed herein on December 30, 1981, and the Court, after having examined the files in this action and being advised by counsel for the parties, finds that:

2.

This judgment applies to the entire estate taken in Tract No. 269-Part B, Area 1, as such estate and tract are described in the Amended Complaint filed in this case.

3.

The Court has jurisdiction of the parties and the subject matter of this action.

4.

Service of Process has been perfected either personally or by publication notice, as provided by Rule 71A of the Federal Rules of Civil Procedure, on all parties defendant in this cause.

5.

The Acts of Congress set out in paragraph 2 of the Amended Complaint filed herein give the United States of America the right, power and authority to condemn for public use the subject property.

Pursuant thereto, on February 13, 1979, the United States of America filed its Declaration of Taking (and on October 2, 1980, filed an Amendment thereto) of a certain estate in a certain tract of land, and title to such property should be vested in the United States of America, as of the date of filing the original Declaration.

6.

Simultaneously with filing of the Declaration of Taking, there was deposited in the Registry of this Court as estimated compensation for the taking of the described estate in the subject tract a certain sum of money, and part of this deposit has been disbursed, as set out below in paragraph 12.

7.

The Report of Commissioners filed herein on December 30, 1981, hereby is accepted and adopted as findings of fact as to subject tract. The just compensation for the estate taken in the subject tract, as fixed by the Commission, is set out below in paragraph 12.

8.

This judgment will create a deficiency between the amount deposited as estimated just compensation for the estate taken in subject tract and the amount fixed by the Commission and the Court as just compensation, and a sum of money sufficient to cover such deficiency should be deposited by the Government. This deficiency is set out below in paragraph 12.

9.

The defendants named in paragraph 12 as owners of the estate taken in subject tract are the only defendants asserting any interest in such estate. All other defendants having either disclaimed or defaulted, the named defendants were (as of the date of taking) the owners of the estate condemned herein and, as such, are entitled to receive the just compensation awarded by this judgment.

10.

It Is, Therefore, ORDERED, ADJUDGED and DECREED that the United States of America has the right, power and authority to

condemn for public use the subject tract, as it is described in the Amended Complaint filed herein, and such property, to the extent of the estate described in such Amended Complaint is condemned, and title thereto is vested in the United States of America, as of February 13, 1979, and all defendants herein and all other persons are forever barred from asserting any claim to such estate.

11.

It Is Further ORDERED, ADJUDGED and DECREED that on the date of taking in this case, the owners of the estate taken herein in subject tract were the defendants whose names appear below in paragraph 12, and the right to receive the just compensation for such estate is vested in the parties so named.

12.

It Is Further ORDERED, ADJUDGED and DECREED that the Report of Commissioners filed herein on December 30, 1981, hereby is confirmed and the sum therein fixed is adopted as the award of just compensation for the estate taken in subject tract, as shown by the following schedule:

TRACT NO. 269-Part B, Area 1

OWNERS:

Fannie Banty Phillips,
a/k/a Fannie Banty ----- 1/2

Dick Ahlden and
Dortha Ahlden ----- 1/2

Award of just compensation pursuant to Commissioners' Report -----	\$25,022.00	\$25,022.00
---	-------------	-------------

Deposited as estimated compensation --	916.50	
--	--------	--

Disbursed to owners:

To Dick and Dortha Ahlden only -----	458.25
--------------------------------------	--------

Balance due to owners -----	\$24,563.75
	plus
	interest

Deposit deficiency -----	\$24,105.50
--------------------------	-------------

13.

It Is Further ORDERED, ADJUDGED and DECREED that the United States of America shall pay into the Registry of this Court for the benefit of the owners the deposit deficiency for the sub-

ject tract as shown in paragraph 12, in the total amount of \$24,105.50, together with interest on such deficiency at the rate of 6% per annum from February 13, 1979, until the date of deposit of such deficiency sum; and such sum shall be placed in the deposit for subject tract in this civil action.

14.

It Is Further ORDERED that after such deficiency deposit has been made, the Clerk of this Court shall disburse from the deposit for the subject tract a certain amount as follows:

To Dick Ahlden and Dortha Ahlden jointly, the sum of \$12,052.75, plus 1/2 of the accrued interest deposited pursuant to paragraph 13.

15.

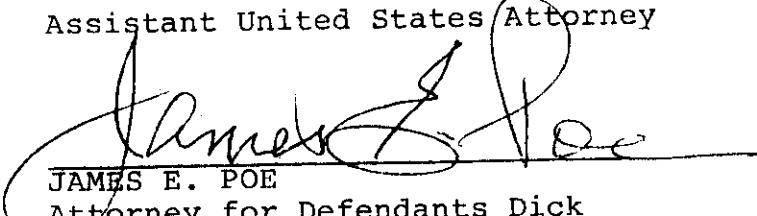
It Is Further ORDERED that the balance of the deposit for subject tract, being the share of the award due to Fannie Banty Phillips, shall not be disbursed at the present time because the address of said defendant is now unknown. When said defendant is located the Court will enter an appropriate order of disbursal.

In the event that the balance due to such defendant remains on deposit for a period of five years from the date of filing this judgment, then, after that period, the Clerk of this Court, without further order shall disburse the balance on deposit for subject tract to the Treasurer of the United States of America, pursuant to the provisions of Title 28, Section 2042, U.S.C.


UNITED STATES DISTRICT JUDGE

APPROVED:


HUBERT A. MARLOW
Assistant United States Attorney


JAMES E. POE
Attorney for Defendants Dick
Ahlden and Dortha Ahlden

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

United States of America,)
)
Plaintiff,)
)
vs.)
)
11.66 Acres of Land, More or)
Less, Situate in Osage County,)
State of Oklahoma, and Jack R.)
Drummond, et al., and Unknown)
Owners,)
)
Defendants.)

Jack C. Silver, Clerk
U. S. DISTRICT COURT

CIVIL ACTION NO. 78-C-291-E

This action applies to all
interests in the estate
taken in:

Tracts Nos. 404E-2, 404E-3,
404E-4, 404E-5 and 404E-6

(Master File #398-13)

J U D G M E N T

1.

NOW, on this 8th day of March, 1982, this matter comes on for disposition on application of the Plaintiff, United States of America, for entry of judgment on a stipulation of the parties agreeing upon just compensation, and the Court, after having examined the files in this action and being advised by counsel for the Plaintiff, finds:

2.

This judgment applies to the entire estate condemned in the tracts listed in the caption hereof, as such estate and tracts are described in the Complaint filed in this action.

3.

The Court has jurisdiction of the parties and subject matter of this action.

4.

Service of Process has been perfected personally, as provided by Rule 71A of the Federal Rules of Civil Procedure, on all parties defendant in this case.

5.

The Acts of Congress set out in paragraph 2 of the Complaint filed herein give the United States of America the right, power and authority to condemn for public use the property described in such Complaint. Pursuant thereto, on June 27, 1978,

the United States of America filed its Declaration of Taking of such described property, and title to the described estate in such property should be vested in the United States of America as of the date of filing the Declaration of Taking.

6.

Simultaneously with filing the Declaration of Taking, there was deposited in the Registry of this Court, as estimated compensation for the taking of a certain estate in subject tracts a certain sum of money, and all of this deposit has been disbursed, as set out below in paragraph 12.

7.

On the date of taking in this action, the owner of the estate taken in subject property was the defendant whose name is shown below in paragraph 12. Such named defendant is the only person asserting any interest in the estate taken in such tracts. All other persons having either disclaimed or defaulted, such named defendant is entitled to receive the just compensation awarded by this judgment.

8.

The owner of the subject tracts and the United States of America have executed and filed herein a Stipulation As To Just compensation wherein they have agreed that just compensation for the estate condemned in subject property is in the amount shown as compensation in paragraph 12 below, and such Stipulation should be approved.

9.

This judgment will create a deficiency between the amount deposited as estimated compensation for the subject property and the amount fixed by the Stipulation As To Just Compensation, and the amount of such deficiency should be deposited for the benefit of the owner. Such deficiency is set out in paragraph 12 below.

10.

It Is, Therefore, ORDERED, ADJUDGED and DECREED that the United States of America has the right, power and authority to condemn for public use the property particularly described in the Complaint filed herein; and such property, to the extent of of the estate described in such Complaint is condemned, and title

to such described estate is vested in the United States of America, as of June 27, 1978, and all defendants herein and all other persons interested in such estate are forever barred from asserting any claim to such estate.

11.

It Is Further ORDERED, ADJUDGED and DECREED that on the date of taking, the owner of the estate condemned herein in subject property was the defendant whose name appears below in paragraph 12, and the right to receive the just compensation for the estate taken herein in this property is vested in the party so named.

12.

It Is Further ORDERED, ADJUDGED and DECREED that the Stipulation As To Just Compensation mentioned in paragraph 8 above hereby is confirmed; and the sum thereby fixed is adopted as the award of just compensation for the estate condemned in subject property as follows:


TRACTS NOS. 404E-2, 404E-3
404E-4, 404E-5 and 404E-6

OWNER: Jack R. Drummond


Award of Just compensation pursuant to Stipulation -----	\$6,500.00	\$6,500.00
Deposited as estimated compensation -----	\$1,750.00	
Disbursed to owner -----		<u>\$1,750.00</u>
Balance due to owner -----		<u>\$4,750.00</u>
Deposit deficiency -----	\$4,750.00	

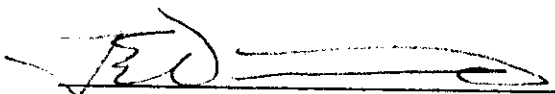
13.

It Is Further ORDERED, ADJUDGED and DECREED that the United States of America shall deposit in the Registry of this Court in this civil action, to the credit of subject property, the deposit deficiency in the sum of \$4,750.00, and the Clerk of this Court then shall disburse from the deposit for subject tracts to Jack R. Drummond ----- \$4,750.00.


UNITED STATES DISTRICT JUDGE

APPROVED:


HUBERT A. MARLOW
Assistant United States Attorney


T. E. DRUMMOND
Attorney for Defendant

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

SHIRLEY ANN AINSWORTH, as
Administratrix of the Estate
of JERRY AINSWORTH, deceased,

Plaintiff,

vs.

AMERACE CORPORATION and R. S.
GOODMAN COMPANY, foreign
corporations,

Defendants.

NO. 81-C-17-E

1982-8-17
Jack C. Silver, Clerk
U.S. DISTRICT COURT

ORDER OF DISMISSAL

On this 8th day of March, 1982, upon the written application of the parties for a Dismissal with Prejudice of the Complaint and all causes of action, the Court having examined said application, finds that said parties have entered into a compromise settlement covering all claims involved in the Complaint and have requested the Court to dismiss said Complaint with prejudice to any future action, and the Court being fully advised in the premises, finds that said Petition should be dismissed pursuant to said application.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the Complaint and all causes of action of the Plaintiff filed herein against the Defendants be and same hereby is dismissed with prejudice to any future action.

James D. Silver
UNITED STATES DISTRICT JUDGE

APPROVALS:

STIPE, GOSSETT, STIPE, HARPER & ESTES
Attorneys for the Plaintiff

By:

Michael Parks
Michael Parks

SANDERS & CARPENTER
Attorneys for the Defendant Amerace Corp.

By:

Richard Carpenter
Richard Carpenter

KNIGHT, WAGNER, STUART, WILKERSON & LIEBER
Attorneys for the Defendant R. S. Goodman
Company

By:

John Howard Lieber
John Howard Lieber

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

DOUBLE D MINING, INC.,
an Oklahoma corporation,

Plaintiff,

AETNA INSURANCE COMPANY,

Additional
Party Plaintiff,

vs.

GENERAL MOTORS CORPORATION,
a Delaware Corporation, d/b/a
TEREX,

Defendant,

vs.

HYDRO TUBE CORPORATION,
an Ohio Corporation,

Third Party
Defendant.

FILED

MAR-8-1982 *dm*

Jack C. Silver, Clerk
U. S. DISTRICT COURT

No. 81-C-22-E ✓

ORDER

Upon stipulation of the parties that this cause should be dismissed, it is hereby ordered that this cause is dismissed without prejudice to the bringing of a future action.

Dated this 8TH day of March, 1982.

James O. Benson

JUDGE OF THE U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

LaVERNE KRAMER,

Plaintiff,

vs.

SAFEWAY STORES, INCORPORATED,

Defendant.

)
)
)
)
)
)
)
)
)
)
)

No. 81-C-54-E

FILED

MAR 2 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

JUDGMENT

This action came on for trial before the Court and a jury, Honorable James O. Ellison, District Judge, presiding, and the issues having been duly tried and the jury having duly rendered its verdict,

IT IS HEREBY ORDERED AND ADJUDGED that the Plaintiff, LaVerne L. Kramer, recover of the Defendant, Safeway Stores, Inc., the sum of \$21,000.00, with interest thereon at the rate of ten (10%) percent as provided by law, and his costs of action.

Dated at Tulsa, Oklahoma, this 8th day of March, 1982.



JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

FILED

MAR -5 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FARMERS INSURANCE COMPANY, INC.,

Plaintiff,

vs

MARY G. BOUDREAUX, HENRY COMBY,
SUE COMBY, PHYLLIS SHELTON, HOWARD
GARDNER, EDWIN HENSLEY, ROBERT
PASCHAL, JR., PATTI RHEA, STEPHEN
CRAINE, WISHARD LEMONS, JR., JENNITH
PICKUP, CHARLES MILLER, DAVID GRIFFIN,
CONSTANCE MURRAY, O.B. MOSS, FRED
FISHER, LORI MCGINNIS, STATE FARM
MUTUAL AUTOMOBILE INSURANCE COMPANY,
WESTERN INSURANCE COMPANY, PREFERRED
RISK MUTUAL INSURANCE COMPANY, AMERICAN
GENERAL FIRE AND CASUALTY COMPANY and
MFA INSURANCE COMPANY,

Defendants.

FILED

MAR 5 1982

NO. 82-C-123-AB

ORDER OF DISMISSAL

Upon stipulation of the plaintiff and the defendant,
William McConnico, this action is ordered dismissed as to said
defendant.

Dated: March, 1982



THOMAS R. BRETT JUDGE OF THE
DISTRICT COURT

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

MAR - 5 1982

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JILL A. COX,

Defendant.

CIVIL ACTION NO. 82-C-119-C

DEFAULT JUDGMENT

This matter comes on for consideration this 5th day of March, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Nancy A. Nesbitt, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Jill A. Cox, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Jill A. Cox, was personally served with Summons and Complaint on February 5, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Jill A. Cox, for the principal sum of \$281.13, plus interest at the legal rate (12%) from the date of this Judgment until paid.

W. J. Sale Book
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

MAR-5 1982

UNITED COAL SALES CO., a
Minnesota corporation,

Plaintiff,

v.

GUARANTY NATIONAL BANK OF
TULSA, OKLAHOMA; STATE OF
OKLAHOMA DEPARTMENT OF MINES;
JOHN B. JARBOE, as Trustee in
Bankruptcy of the Estate of
Robert Dixie Haymes, d/b/a
Tri-County Construction, and
the Estate of Wilma Louise
Haymes, a/k/a Wilma T. Haymes;
ROBERT D. HAYMES, JR.,

Defendants.

Jack C. Silver, Clerk
U. S. DISTRICT COURT

No. 81-C-27-C

STIPULATION OF DISMISSAL AS TO PORTION OF ACTION

COME NOW the Plaintiff, United Coal Sales Company, a Minnesota corporation; the Defendant, State of Oklahoma Department of Mines; and the Defendant, Guaranty National Bank of Tulsa, as the sole remaining parties appearing in this cause, and pursuant to Rule 41(a)(1), Federal Rules of Civil Procedure, hereby jointly stipulate to the dismissal, with prejudice, of:

(i) the action instituted by Plaintiff United Coal Sales Company against the Guaranty National Bank and the State of Oklahoma Department of Mines, and

(ii) the counter-claim of the Department of Mines filed as to the Plaintiff United Coal Sales Company;

It is understood that the cross-claim filed by the State of Oklahoma Department of Mines against the cross-defendant Guaranty National Bank shall survive this dismissal and shall remain on the court calendar; it is also understood that United Coal Sales Company hereby quitclaims and assigns unto the State of Oklahoma Department of Mines any and all rights it had or may have had in the certificates of deposits which are the subject of this action and, further, that the State of Oklahoma Department of Mines releases and acquits unto the United Coal Sales Company all rights, if any, which it may have had against it relating either to said

certificates or to the lands which were the subject of the mining permits involved in this cause.

Respectfully submitted,

PLAINTIFF AND COUNTER-DEFENDANT:
UNITED COAL SALES COMPANY

By 

Donald K. Switzer

Logan, Lowry, Johnston, Switzer
and West
P. O. Box 558
Vinita, OK 74301
(918) 256-7511

DEFENDANT AND COUNTER AND CROSS-
CLAIMANT STATE OF OKLAHOMA DEPART-
MENT OF MINES

By 

Jerry C. Blackburn
Assistant Attorney General

Jan Eric Cartwright
Attorney General of Oklahoma
112 State Capitol Building
Oklahoma City, OK 73105
(405) 521-3921

DEFENDANT AND CROSS-DEFENDANT:
GUARANTY NATIONAL BANK OF TULSA,
OKLAHOMA

By 

J. Schaad Titus

Boone, Smith, Davis, & Hurst
900 World Building
Tulsa, OK 74103
(918) 587-0000

mag

United States District Court

MAR - 5 1982

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk
U. S. DISTRICT COURTU.S.F.&G. INSURANCE COMPANY
Plaintiff

CIVIL ACTION FILE NO. 80-C-738-BT

vs.

MONTGOMERY WARD & CO., INC., and
MARKEL NUTONE a part of NUTONE DIVISION
OF SCOVILL, INC.

Defendants

JUDGMENT

This action came on for trial before the Court and a jury, Honorable THOMAS R. BRETT, United States District Judge, presiding, and the issues having been duly tried and the jury having duly rendered its verdict, for the Plaintiff.

It is Ordered and Adjudged that the Plaintiff, U.S.F.&G. INSURANCE CO. is awarded judgment against the Defendants, MONTGOMERY WARD & COMPANY, INC. and MARKEL NUTONE a part of NUTONE DIVISION OF SCOVILL, INC., in the sum of \$27,406.17, with interest at the rate of 12% per annum with costs of this action.

Dated at Tulsa, Oklahoma
of MARCH , 19 82.

, this 5th day



THOMAS R. BRETT
U. S. District Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

ALLAN MILLAR, & STATE FARM
FIRE & CASUALTY COMPANY,
A Foreign Insurance
Corporation,

Plaintiffs,

vs.

BURLINGTON NORTHERN RAILROAD
COMPANY,

Defendant.

No. 81-C-400-B


1-17-82
Jack C. Silver, Clerk
U. S. DISTRICT COURT


STIPULATION FOR DISMISSAL WITH PREJUDICE

The parties hereto advise the Court that they have agreed to fully settle this case and thereby stipulate that plaintiffs' causes of action be dismissed with prejudice, at plaintiffs' costs.

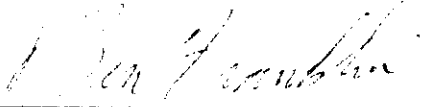
C. Rabon Martin
Jack E. Gordon, Jr.

BY


Attorneys for Plaintiff,
Allan Millar


Roger R. Williams
Attorney for Plaintiff,
State Farm Fire & Casualty Co.

FILED


Ben Franklin
Attorney for Defendant

1-17-82
Jack C. Silver, Clerk
U. S. DISTRICT COURT

ORDER

Upon stipulation of the parties and for good cause shown, plaintiffs' causes of action against the defendant are hereby dismissed with prejudice to the refiling of such actions, at plaintiffs' costs.

IT IS SO ORDERED this 4th day of March, 1982.

S/ THOMAS R. BRETT

United States District Judge

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

MAR - 4 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

MARTIN LUTHER REED,

Plaintiff,

vs.

L. T. BROWN, Warden, et al.,

Defendants.

No. 81-C-386-B

JUDGMENT

Pursuant to the Order of the Court entered this
day, judgment is hereby granted for the defendants and
against the plaintiff.

DATED this 3rd day of March, 1982.



THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAR - 4 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

No. 81-C-386-B

Defendants.

This matter comes before the Court on petitioner's pro se petition for a writ of habeas corpus pursuant to 28 U.S.C. §2254.

Petitioner is currently incarcerated in the Conner Correctional Center in Hominy, Oklahoma where he is serving a sentence of thirty-four years. Petitioner was convicted of a Felony on December 8, 1977 in the District Court of Tulsa County, State of Oklahoma (CRF-77-1305). Petitioner perfected an appeal to the Oklahoma Court of Criminal Appeals and the conviction was affirmed on July 27, 1979 (F-78-323). Thereafter, petitioner filed an application for post-conviction relief in the Tulsa County District Court and it was denied on December 29, 1980. The Oklahoma Court of Criminal Appeals affirmed this denial on February 13, 1981 (PC-81-45). The Supreme Court of the United States denied petitioner's petition for writ of certiorari on April 27, 1981 (No. 80-6225). Thereafter, petitioner filed the instant petition for a writ of habeas corpus on August 3, 1981, pursuant to 28 U.S.C.A. §2254, subsequent to the Court's granting petitioner's motion for leave to proceed in forma pauperis on July 27, 1981.

In support of his petition, petitioner alleges five grounds upon which the writ should issue:

1. The evidence adduced at trial was insufficient to support a conviction;
2. The sentence imposed upon the conviction was cruel and unusual in violation of the Eighth Amendment;

3. The conviction was unconstitutional under the Fifth and Sixth Amendments guaranteeing a fair trial and due process of law as a result of unlawful and unconstitutional treatment while a pre-trial detainee in the Tulsa County Jail;
4. The sentence imposed upon the conviction was unconstitutional in violation of the Eighth and Fourteenth Amendments and Article VII of the United States Constitution as, at the time of sentencing, the entire Oklahoma prison system had been ruled to be unconstitutional; and
5. Incarceration in the Oklahoma prison system violates petitioner's Thirteenth and Fourteenth Amendment rights in that the Oklahoma prison system's failure to pay prison laborers the prevailing federal minimum wage denies petitioner the privileges and immunities to which he is entitled and constitutes involuntary servitude.

The Court notes initially petitioner has raised no factual issues requiring an evidentiary hearing. Rule 8(a), 28 U.S.C.A. foll. §2254; Townsend v. Spain, 372 U.S. 293, 312-13 (1962).

With respect to Grounds 3, 4 and 5* set forth above, petitioner has stated no facts in support of these conclusory allegations, and the Court therefore finds these claims insufficient to state a claim for relief. Rule 2(c), 28 U.S.C.A. foll. §2254; Wacht v. Cardwell, 604 F.2d 1245, 1247 (9th Cir. 1979). In addition, the Court notes petitioner failed to raise these same grounds in the post-conviction proceedings adjudicated in the Oklahoma state courts. Petitioner asserts these grounds are fairly comprised in other issues actually raised by him in those proceedings, but fails to explain the relationship between these allegations and the allegations actually asserted in the Oklahoma courts. Facially, Grounds 3, 4 and 5 are thoroughly unrelated to the matters raised and adjudicated in the post-conviction proceedings, and after a careful review of the record, the Court must conclude petitioner failed to exhaust his state remedies with respect to such claims.

* Petitioner's Ground 5 is frivolous. The law is well established prison labor does not constitute involuntary servitude. See, e.g., Ray v. Mabry, 556 F.2d 881, 882 (8th Cir. 1977); Draper v. Rhay, 315 F.2d 193, 197 (9th Cir. 1963), cert. denied, 375 U.S. 915 (1963). In addition, the provisions of the Fair Labor Standards Act providing for the payment of a minimum wage are not applicable to state or federal prisoners performing prison or prison-related labor. 29 U.S.C.A. §§203(b), (c), (e), (r) and (s). See, e.g., Sprouse v. Federal Prison Industries, Inc., 480 F.2d 1, 4 (5th Cir. 1973); Worsley v. Lash, 421 F.Supp. 556 (N.D.Ind.1976).

With respect to Ground 2 stated above, that is, the sentence imposed by the trial court constitutes cruel and unusual punishment in violation of the Eighth Amendment, the Court concludes petitioner's claim is without merit. A prisoner is not entitled to a writ of habeas corpus on the basis the sentence imposed constitutes cruel and unusual punishment where the sentence is within the limits prescribed by law and is imposed after a fair trial. See e.g., United States ex rel Sluder v. Brantley, 454 F.2d 1266, 1269 (7th Cir. 1972); Holmes v. Israel, 453 F.Supp. 864, 869 (E.D. Wisc. 1978), aff'd, 618 F.2d 111 (7th Cir. 1980); Jones v. Superintendent, Virginia State Farm, 360 F.Supp. 575, 577 (W.D.Va. 1973). Petitioner was charged with and convicted of Robbery with Firearms After Former Conviction of a Felony. The underlying crime, Robbery with Firearms, carries a maximum sentence of life imprisonment, and petitioner therefore could have received such a sentence on the basis of that charge alone. See 21 Okl.St. Ann. §801. Counsel stipulated at trial, however, petitioner had been convicted on felony charges on two prior occasions.* Transcript at 94-7. With this in mind, the Court concludes the sentence imposed does not violate the strictures of the Eighth Amendment.

Petitioner's first ground for issuance of the writ centers around the fact, apparently conceded by the State, petitioner was convicted on the basis of circumstantial evidence. Petitioner evidently contends his conviction was improper, and hence, his confinement unlawful, because he was not identified by an eye witness at trial as having been present at the scene of the crime. The Court notes this precise issue was addressed and refuted by the Oklahoma Court of Criminal Appeals upon petitioner's direct appeal from his conviction, by the Tulsa County District Court upon petitioner's application for post-conviction relief, and again by the Oklahoma Court of Criminal Appeals upon petitioner's appeal from the District Court's denial of the petition for post-conviction relief. At each stage of review, the reviewing Court found the evidence sufficient to support the jury verdict.

* Certified copies of the Judgment and Sentence on Plea of Guilty for each offense are part of this record, marked as State's Exhibits 1 and 2.

A review of the record discloses the following:

The State presented several witnesses to prove circumstantially that the Petitioner was the "wheel man" of an armed robbery of a convenience store. The State's first witness was David Kerby who, on May 25, 1977, was employed as a store manager for Git-N-Go Stores. On that afternoon he was with Jim Burchett, a supervisor, and when they pulled into the parking lot at 1627 North Peoria, the Assistant Manager, Ronnie Bruner, ran out of the store and told them that he had just been robbed. (Tr. 12-13). Mr. Bruner also pointed to a black over green Pontiac and told Kerby and Burchett that the people in the car had just robbed him. The car then took off at a high rate of speed and Kerby and Burchett followed. (Tr. 13). Mr. Kerby stated the car had body damage on the driver's door and that the car tag was turned down. (Tr. 13). Kerby and Burchett lost sight of the car for approximately one to one and one-half minutes, but then saw the car parked in front of a house whose occupant Kerby knew. Kerby then honked his horn and Virgil Gillory came to the door. Kerby asked him if he knew who was driving the car. (Tr. 14) Gillory replied in the affirmative and said that they were in his house at that moment. Kerby told him that they had just robbed his store and Gillory made them come outside. (Tr. 15). Kerby described the two men who came out as Negro and between the ages of twenty-five and thirty. (Tr. 15-16). They denied involvement and then left in the green Pontiac. Kerby and Burchett went back to the store and conducted an inventory to see what had been stolen. (Tr. 16-18). On cross-examination, Mr. Kerby stated that he saw two men in the green Pontiac as it sped away from the store. (Tr. 23).

The State then called Jim Burchett, whose testimony substantially corroborated that of Mr. Kerby. (Tr. 35-39).

The State then called Virgil Gillory, who testified that on May 25, 1977, he resided at 1824 North St. Louis. (Tr. 45). On that date, at approximately 3:15 p.m., a man by the name of David Ross came by Mr. Gillory's residence and stopped. (Tr. at 58). He was driving a black over green Pontiac. (Tr. 46). Ross

inquired if a certain individual was there and Gillory told him he was not. Gillory stated that a black male was with Ross at that time. (Tr. 47). Ross then drove off but returned at approximately 3:30 to 3:35 p.m., and entered Gillory's house along with another black male, identified as Martin Luther Reed. (Tr. 48-9). Gillory stated Martin Luther Reed was driving the car when Ross returned. (Tr. 54). A short time later, Gillory heard a car horn and, upon looking outside, recognized David Kerby. (Tr. 50). Kerby asked who was driving the black over green 1970 Pontiac and Gillory said the men were in his house. (Tr. 51). Gillory further stated that, prior to the time that he answered Kerby's question concerning who was driving the car, defendant Reed stated, "Tell them you don't know, Tell them you don't know." (Tr. 51-52).

Gillory ordered Ross and Reed out of his house after Kerby told him that they had robbed his store. (Tr. 52). Gillory said that Ross was attempting to put his cap in the hole of a guitar before he went outside. (Tr. 52). On cross-examination, Gillory stated that he was not absolutely sure that Reed was the black male in the car the first time the car came by his house, but was sure that Reed was the man with Ross the second time they came by. (Tr. 60 and 54).

The State then called Vanessa Gillory, daughter of Virgil Gillory, who testified she heard a person who must have been the defendant say, "Say you don't know" to her father while David Kerby was outside. (Tr. 69).

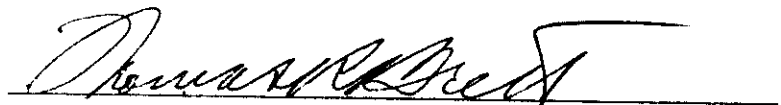
The State then called Ronnie Bruner, who was employed at the Git-N-Go convenience store on May 25, 1977. (Tr. 71). At around 3:25 p.m., a man who appeared to be drunk came into the store, pulled a gun from his belt, and told him to take the money out of the register and put it in a bag. (Tr. 73). Mr. Bruner identified the man who robbed him as David Ross. (Tr. at 77). Mr. Bruner was then told to lie down on the floor, which he did, and as soon as he heard the man leave the store he got up and looked out the door and saw the man who took

the money heading north. (Tr. 74). At about that time, Bruner observed Kerby and Burchett drive up and he told them what had happened. He told them to stop the green Pontiac because the man was heading toward that car. (Tr. 74-5). The green Pontiac took off at a high rate of speed with Kerby and Burchett following. (Tr. 76). At the conclusion of Mr. Bruner's testimony, the State rested. (Tr. 86). After the Court overruled the defendant's demurrer, the defense rested without offering any evidence. (Tr. 87-8).

In passing on petitioner's application for relief in this habeas corpus action, the critical inquiry for this Court is whether, after reviewing the evidence in the light most favorable to the prosecution, any rational trier of fact could have found the essential elements of the crime beyond a reasonable doubt. Jackson v. Virginia, 443 U.S. 307, 319 (1979). Having reviewed the record in considerable detail, the Court finds and determines the evidence therein, albeit circumstantial, is more than sufficient to support a finding of guilt beyond a reasonable doubt by a rational trier of fact. See Jones v. Perini, 599 F.2d 129, 130 (6th Cir. 1979), cert. denied, 444 U.S. 918 (1979). Accordingly, the Court concludes the petition for a writ of habeas corpus must be denied.

IT IS THEREFORE ORDERED petitioner's petition for a writ of habeas corpus is hereby denied and this proceeding dismissed.

ENTERED this 3rd day of March, 1982.



THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF OKLAHOMA

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

MAR 2 1982

WAGCO, INC.,
an Oklahoma corporation,

Plaintiff,

vs.

ASPEN Oil Co., Inc.,
a Kansas corporation,

Defendant.

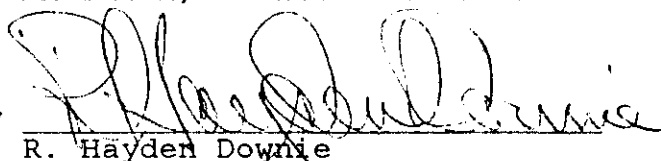
No. 81-C-364-B

MOTION TO DISMISS

COME NOW the Plaintiff and Defendant and move this
Court to dismiss the Plaintiff's Complaint and the Defendant's
Counterclaim as both parties have resolved their differences.

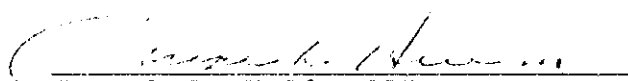
SNEED, LANG, ADAMS,
HAMILTON, DOWNIE & BARNETT

By


R. Hayden Downie
Sixth Floor
114 East Eighth Street
Tulsa, Oklahoma 74119
(918) 583-3145

Attorneys for Defendant

FILED


Joseph L. Hull, III
1717 South Cheyenne
Tulsa, Oklahoma 74119-4689
(918) 582-8252

Attorney for Plaintiff

Jack C. Silver, Clerk
U. S. DISTRICT COURT

O R D E R

NOW on this 4th day of March, 1982, the Plain-
tiff's Complaint and Defendant's Counterclaim are dismissed for
good cause shown.

S/ THOMAS R. BRETT

U. S. DISTRICT COURT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

GARLIN M. BAILEY,

Plaintiff,

vs.

INEZ KIRK, individually and in her official capacity as City Manager for the City of Sand Springs, Oklahoma; THE PERSONNEL BOARD for the City of Sand Springs, Oklahoma; W. B. BREISCH, individually and in his official capacity as Chairman of the Personnel Board for the City of Sand Springs, Oklahoma; JERRY TINSELY, individually and in his official capacity as member of the Personnel Board for the City of Sand Springs, Oklahoma; JOHNNY LOUGHRIDGE, individually and in his official capacity as member of the Personnel Board for the City of Sand Springs, Oklahoma; LLOYD WATKINS, individually and in his official capacity as member of the Personnel Board for the City of Sand Springs, Oklahoma; BILL PENNIFOLD, individually and in his official capacity as member of the Personnel Board for the City of Sand Springs, Oklahoma; ARTIE PALK, individually and in his official capacity as Mayor of the City of Sand Springs, Oklahoma; DAVID LUNDY, individually and in his official capacity as Vice Mayor of the City of Sand Springs, Oklahoma; DON COBLE, individually and in his official capacity as Councilman for the City of Sand Springs, Oklahoma; SAM CHILDERS, individually and in his official capacity as Councilman for the City of Sand Springs, Oklahoma; TOM GILBERT, individually and in his official capacity as Councilman for the City of Sand Springs, Oklahoma; BARRY HACKER, individually and in his official capacity as Councilman for the City of Sand Springs, Oklahoma; KIM TILLEY, individually and in his official capacity as Councilman for the City of Sand Springs, Oklahoma; and THE CITY OF SAND SPRINGS, OKLAHOMA,

Defendants.

JUDGMENT

Based on the Order filed this date, Judgment is entered in favor of the defendants, and each of them, and against the plaintiff, Garlin M. Bailey, with costs to be paid by plaintiff and each party to bear their own attorney fees.

IT IS SO ORDERED.

ENTERED this 4th day of March, 1982.


THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

FILED

MAR - 4 1982

John C. Silver, Clerk
U. S. DISTRICT COURT

80-C-643-BT

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

MAR - 4 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

GARLIN M. BAILEY,

Plaintiff,

vs.

INEZ KIRK, et al.,

Defendants.

No. 80-C-643-BT

O R D E R

Plaintiff, Garlin M. Bailey [Bailey] brings this action pursuant to 42 U.S.C. §1983 seeking redress of alleged constitutional violations.

Plaintiff and defendants have moved for Summary Judgment pursuant to F.R.Civ.P. 56. Included in defendants' Motion for Summary Judgment is a Motion to Dismiss plaintiff's Second Cause of Action contained in the Amended Complaint pursuant to F.R.Civ.P. 12(h) (2) and (3) for failure to state a claim and lack of subject matter jurisdiction. The Court heard oral argument on November 20, 1981, and took the matter under advisement.

The Court has considered the briefs of the parties; the oral argument; all exhibits; the pertinent portions of the Sand Springs Ordinances pertaining to the City Manager, the Police Chief, the Personnel Board and rights of appeal; the Sand Springs Police Department Policies and Procedures Manual; the Sand Springs Personnel Policies and Procedures Manual; the transcript of the hearing before the Personnel Board of the City of Sand Springs on October 23-24, 1980; and the deposition of the plaintiff.

The Court finds plaintiff's Motion for Summary Judgment should be overruled; Defendants' Motion for Summary Judgment should be sustained; and Defendants' Motion to Dismiss the Second Cause of Action pursuant to F.R.Civ.P. 12(h) should be sustained for the following reasons, each of which will be hereinafter discussed below:

1. The Court determines the plaintiff has only a limited property right under the ten day suspension ordinance so there is no cognizable constitutional due process claim.

2. As a classified employee, the plaintiff was entitled to a due process hearing relative to his demotion from Chief of Police to Lieutenant, which the Court determines he was provided.

3. No cognizable liberty interest claim is involved herein because the evidence does not present a fact question relative to damage to plaintiff's reputation or ability to obtain employment.

4. Under 42 U.S.C. §1983 the evidence does not support an actionable claim for alleged constructive discharge.

Summary Judgment may not be granted when a genuine issue of material fact is presented to the trial court. Exnicious v. United States, 563 F.2d 418 (10th Cir. 1977). In making this determination the evidence must be viewed in the light most favorable to the party against whom the judgment is sought. National Aviation Underwriters v. Altus Flying, 555 F.2d 778 (10th Cir. 1977). Factual inferences tending to show triable issues must be resolved in favor of the existence of those issues. Lockett v. Bethlehem Steel Corp., 618 F.2d 1373 (10th Cir. 1980). The well-settled rule is that cross-motions for summary judgment do not warrant the Court in granting summary judgment unless one of the moving parties is entitled to judgment as a matter of law upon the facts that are not genuinely disputed. 6 Moore's Federal Practice ¶56.13.

By letter dated September 29, 1980, Bailey, Chief of Police for the City of Sand Springs, Oklahoma, was advised he was suspended for four (4) days [September 30 through October 3, 1980] without pay because of his "inability to resolve the personnel problem with Officer ..." to the satisfaction of City Manager,

Inez Kirk [Kirk].^{1/} The letter also directed Bailey to leave the keys to his police vehicle with Kirk by 5 p.m., on September 29, 1980. On the same day, Bailey notified Kirk by letter he declined to accept the suspension and desired a hearing before the City Commission.^{2/} Bailey did not abide by the suspension and proceeded to work each day of the suspension while retaining the keys to his police vehicle. By letter dated October 3, 1980,^{3/} Kirk demoted Bailey from Chief of Police to Lieutenant, stating in part: "You have disobeyed the aforementioned order of suspension [letter of September 29, 1980] and have conducted yourself in an insubordinate manner, to the detriment of the Police Department." Bailey appealed his demotion to the Personnel Board within ten days and a hearing was had on October 23-24, 1980.^{4/} The demotion was affirmed by the Personnel Board.

The cornerstone of plaintiff's contention is that the City of Sand Springs Ordinances and the Policies and Procedures Manual

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- 1/ The investigation dealt with certain long distance telephone calls placed by an unknown person and charged to the City of Sand Springs, Oklahoma. The alleged lack of results of the investigation precipitated the September 29, 1980 letter of suspension. It is Bailey's contention he "had already been exonerated or punished for the reason(s)" advanced in the September 29, 1980 suspension by a previous hearing before the Personnel Board in April of 1980.
 - 2/ Bailey felt he had a constitutional right to a hearing before the City Commission concerning the September 29, 1980 suspension. The City Commission did meet in Executive Session on October 2, 1980, prior to Bailey's demotion of October 6, 1980, and allowed both Bailey and Kirk to appear. No action was taken by the City Commission because there was no provision in the Sand Springs Personnel and Policy Procedures Manual for a hearing or any affirmative action for the type of suspension imposed by Kirk.
 - 3/ It is Bailey's position when he delivered his letter to Kirk on September 29, 1980, he told her several times he desired to appear before the City Commission. Bailey contends he believed his suspension was abated until he had procured his hearing before the City Commission, and, therefore, he was technically not insubordinate as charged in the October 6, 1980 demotion letter.
 - 4/ The meeting extended past midnight on October 23, 1980.

which gives no right of appeal for a suspension without pay of less than ten days^{5/} violates the due process clause of the Fourteenth Amendment. He urges the decision of the Oklahoma Supreme Court in Umholtz v. City of Tulsa, 565 P.2d 15 (Okla. 1977) upholding such suspension ordinances is contrary to the constitution and should be disregarded by this Court. With this contention as a foundation plaintiff claims:

- (i) He received a four day suspension [September 29, 1980 letter] without having been afforded a hearing or a right of appeal, which was violative of his Fourteenth Amendment rights;
- (ii) His demotion from Chief of Police to Lieutenant October 6, 1980, for insubordination also deprived him of his due process rights under the Fourteenth Amendment, and in the alternative deprived him of his First Amendment right to "petition for a redress of grievance";
- (iii) The Personnel Board hearing on October 23, 1980 was a "sham" and a "farce" in that it deprived him of procedural and substantive due process under the Fourteenth Amendment;
- (iv) His five day suspension in May, 1981, by Police Chief Helm for alleged "insufficient" checks was wrongful, malicious and contrary to the policy and procedures of the City of Sand Springs and in violation of his Fourteenth Amendment rights; and
- (v) He terminated his employment with the Sand Springs Police Department on June 7, 1981 [after this

^{5/} Title 2, Chapter 7, §7.25(1) and (2) of the Sand Springs City Ordinances; §§511.01, 511.02 and 512.01 of the Policies and Procedures Manual.

litigation was commenced] due to alleged harassment,^{6/}
constituting constructive discharge.

Defendants contend when the Ordinances of the City of Sand Springs are considered together, Bailey, as a "police officer" or "employee" was in the classified service;^{7/} but as Chief of Police or head of an administrative department his right to hold that administrative office did not fall within the classified service. Plaintiff would thereby have a limited property interest as a police officer, but no property interest in the position of Chief of Police.

Title 2, Chapter 3, Section 3.02 of the Sand Springs Ordinances gives the City Manager the authority to appoint, and for the good of the service, remove, all heads of administrative departments. Title 3, Chapter 1, Section 1.02 provides the Chief of Police and all or any member of the Police Department may be appointed or removed by the City Manager. Title 2, Chapter 7, Section 7.24 divides the officers and employees of the City of Sand Springs into classified and unclassified service and specially designates who shall constitute unclassified personnel. Neither police officers or the Chief of Police are designated as

^{6/} In his Amended Complaint plaintiff added a Second Cause of Action wherein he claims Kirk and the Police Chief of Sand Springs [and others] engaged in a "common plan" to force plaintiff to quit or resign his position as Lieutenant of Police and to force him to "withdraw his suit" by: (a) Forcing him to work on the evening shift so he could not work on a second job; (b) By wrongfully accusing him of misappropriation of police property [a car battery from a police vehicle]; (c) By causing him to be suspended for five (5) days in May, 1981, because of writing insufficient funds checks; (d) By using their public positions to induce "others in the community" to bring financial pressure on plaintiff; and (e) By inducing "others in the community" to bring or threaten to bring criminal charges against him.

^{7/} Title 2, Chapter 7 of the Sand Springs Ordinances, Section 7.01 sets up a merit system for the personnel in the City service and provides appointments and promotions shall be made solely on the basis of merit and fitness and removals, demotions, suspensions and layoffs shall be made solely for the good of the service.

It should be noted classified service is encompassed within some type of merit plan while unclassified service is usually discretionary.

unclassified. Bailey, therefore, at all times pertinent hereto enjoyed classified service vis-a-vis unclassified service as defined in the Ordinances of the City of Sand Springs and a limited property interest relative to suspensions under the ordinance.^{8/}

The language of the Ordinances is plain and unambiguous and will be accorded the meaning as expressed by the language therein employed. Cavett v. Geary Bd. of Ed., 597 P.2d 991, 993 (Okla. 1978).

1. THE NATURE OF THE PROPERTY RIGHT RELATIVE TO THE TEN DAY SUSPENSION.

In Umholtz v. City of Tulsa, supra, 565 P.2d 15, two police officers were suspended [one for a period of 10 days and the other for a period of twenty days].^{9/} They sought a writ of prohibition prohibiting the City from suspending them without a presuspension review and opportunity to be heard. The Charter provision of the City of Tulsa in Umholtz is almost identical to the Sand Springs Ordinance involved in this case. The Court, in examining the provision of the City Charter which provided that all city employees would hold their respective positions "during good behavior" and would be "suspended without pay, demoted or removed from the same only for good and sufficient cause", found the language did confer a property right in continued employment,

^{8/} Bailey's status as classified or unclassified in his position as Chief of Police does not affect the Court's ultimate ruling as to his demotion from Chief of Police to Lieutenant in that he was afforded both procedural and substantive due process in his hearing before the Personnel Board.

^{9/} The employee suspended for twenty days was found to have a cognizable property interest under the due process clause of the Constitution, contrary to the limited property interest found in reference to the employee suspended under the ten day suspension of the City Charter.

defined and limited, however, by the procedural language of the provision.^{10/}

The Court said:

"...Although such [limited] rights are not protected under the Due Process Clause of the Fourteenth Amendment, we hold that Article 2, Section 7 of the Oklahoma Constitution affords minimal procedural protection to persons who by contract or law have a limited right to hold their jobs or to be free from discipline 'unless good cause is shown'..."

Id. at 24; Hall v. O'Keefe, 617 P.2d 196, 200 (Okla. 1980).

In Umholtz the Oklahoma Supreme Court, relying on Dunlop v. Bachowski, 421 U.S. 569, 95 S.Ct. 1851, 44 L.Ed.2d 337 (1975), held an aggrieved suspended employee was entitled to an adequate explanation in the form of a "reasons statement", coupled with the right of a limited review. However, it was concluded no constitutionally protected property interest is involved when an employee is suspended for ten days or less under the charter. Dunlop held the Court is confined to determining from the reasons statement, without more, whether the decision of the agency is so irrational as to render the decision arbitrary and capricious. The determination does not extend to a review of the factual basis for the decision as in a due process hearing. Umholtz, supra at 25-26.

The Court finds no constitutional infirmity, as suggested by plaintiff, in the Umholtz case conclusion relative to the limited property interest conferred by the Charter [in this case Ordinance]. The United States Constitution does not create property interests. Rather it extends various procedural safeguards to certain interests "that stem from an independent source such as state law". Leis v. Flynt, 441 U.S. 956, 99 S.Ct. 2185, 99 L.Ed.2d 698 (1979); Board of Regents v. Roth, 408 U.S. 564, 577, 92 S.Ct. 2701, 2709, 33 L.Ed.2d 548 (1972); Bishop v. Wood, 426 U.S. 341, 344, 96 S.Ct. 2974, 2977, 48 L.Ed.2d 684 (1976);

^{10/} "A department head may for misconduct, suspend an employee for a period not to exceed ten (10) days for any one offense and not to exceed twenty (20) days in any calendar year. The department head shall give written notice of such suspension to the Personnel Director. There shall be no appeal from such action by a department head."

White v. Mississippi State Oil and Gas Bd., 650 F.2d 540, 541 (5th Cir. 1981). In Arnett v. Kennedy, 416 U.S. 134, 94 S.Ct. 1633, 40 L.Ed.2d 15 (1974), the Court held "where the grant of a substantive right [here the property interest] is inextricably intertwined with the limitations on the procedures which are to be employed in determining that right [suspension of less than 10 days], a litigant in the position of appellee must take the bitter with the sweet." As to the limited review of the two letters constituting the "reasons statements" concerning plaintiff's two suspensions [September, 1980 and May, 1981], plaintiff has not requested such limited review. The two suspensions of plaintiff do not rise to constitutional proportions and therefore do not constitute a denial of due process under Umholtz. The state courts provide an adequate and more suitable forum for such claims, if and when made. Winnick v. Manning, 460 F.2d 545 (2nd Cir. 1972).

In Bishop v. Wood, supra, 426 U.S. 341, 349, 96 S.Ct. 2074, 48 L.Ed.2d 684 (1976), the Supreme Court acknowledged not every personnel disciplinary action of a public agency gives rise to a claim of constitutional dimension.

"The federal court is not the appropriate forum in which to review the multitude of personnel decisions that are made daily by public agencies. We must accept the harsh fact that numerous individual mistakes are inevitable in the day-to-day administration of our affairs. The United States Constitution cannot feasibly be construed to require federal judicial review for every such error. In the absence of any claim that the public employer was motivated by a desire to curtail or penalize the exercise of an employee's constitutionally protected rights, we must presume that official action was regular and, if erroneous, can best be corrected in other ways. The Due Process Clause of the Fourteenth Amendment is not a guarantee against incorrect or ill-advised personnel decisions."

Unholtz lays to rest the issue of constitutionality of both the Ordinance and the limited property interest, and, therefore, the Motion for Summary Judgment of defendants should be sustained.

2. THE HEARING AFFORDED RELATIVE TO THE DEMOTION FROM CHIEF OF POLICE TO LIEUTENANT.

Plaintiff contends he has a property interest in the position of Chief of Police and was denied both procedural and substantive due process at the hearing in October, 1980, before the Personnel Board when his demotion from Chief of Police to Lieutenant was considered.^{11/}

A review of the entire transcript of the proceedings before the Personnel Board discloses plaintiff received an adequate procedural due process hearing. It may be true the format of the hearing was not to plaintiff's liking, but he was not denied any of the guarantees of procedural due process. At the outset the Board delineated the procedure it would follow. (TR. 8-9)

"We intend as a Board to conduct the meeting basically as follows: We have convened the meeting and we'll ask the representative of the City what he has to bring before the Court. After we have heard this, we will ask the person who the City intends to have make a statement, or people who are going to make a statement, to make their statements. After each person has made a statement, we, as a Board, will have the privilege of asking these people questions; and after that we will ask the attorney in this case, first of all for the City, Mr. Phillips, to ask the witness questions. Then we will ask the attorneys for Mr. Bailey to ask questions. At that point we will go on to other witnesses in behalf of the City if there is any, and will allow Mr. Phillips to present any other evidence he wants, to the Board. After that we will call the people that we have on the list for Mr. Bailey, and after each one of those has made their statement, then we will have the attorney for Mr. Bailey ask these people questions, Mr. Phillips ask questions, and then proceed to the next person.

"After we have heard all of the witnesses or people who want to make any statements, then we will recess for an Executive Session, the Board will. In this meeting we will discuss what we've heard, then come back into the meeting and make our decision."

The record reveals the City called only one witness [Inez Kirk]. Plaintiff, Bailey, testified in his own behalf and then called as a witness Kenneth Edginton. The parties stipulated the

^{11/} Plaintiff was entitled to a hearing before the Personnel Board, Title 2, Chapter 7, Section 7.25, Sand Springs Ordinances.

testimony of David Mick, Charles Dudley and Phil Allen, if called to testify by plaintiff, would be the same as that of Mr. Edginton. Both counsel were permitted cross-examination. Bailey's counsel was allowed to make a closing statement even though the City waived closing statement. Plaintiff complains the members of the Personnel Board refused to go behind the "reasons statement" of the September, 1980, suspension letter, and such refusal revealed they were arbitrary and capricious. The Court has heretofore held under the rationale of Umholtz, supra, the plaintiff was not entitled to a hearing before the Personnel Board concerning the factual basis of the "reasons statement."

A traditional trial-type hearing format is not required in every case of governmental impairment of a private interest. The nature of due process negates any concept of inflexible procedures universally applicable to all situations. Cafeteria Workers v. McElroy, 367 U.S. 886, 894-95, 81 S.Ct. 1743, 1748, 6 L.Ed.2d 1230 (1960); Staton v. Mayes, 552 F.2d 908, 913 (10th Cir. 1977). See also Simard v. Board of Education, 473 F.2d 988, 992 (2nd Cir. 1973); English v. North East Board of Education, 385 F.Supp. 1174, 1178 (W.D.Pa. 1974).

The requirements of procedural due process are succinctly set forth in Hokstrop v. Board of Junior College Dist. No. 515, Etc., Ill., 471 F.2d 488, 495 (7th Cir. 1972), cert. denied, 425 U.S. 963:

"We find that the resolution of these interests requires that plaintiff be given notice of the charges against him, notice of the evidence upon which the charges will be based, a hearing before a tribunal possessing apparent impartiality, and a chance to present witnesses and confront adverse evidence at the hearing. Board of Regents v. Roth, 408 U.S. 570 n.7, 92 S.Ct. 2701, 33 L.Ed.2d 548; Ferguson v. Thomas, 430 F.2d 852, 856 (5th Cir. 1970); Kennedy v. Sanchez, 349 F.Supp. 863, 865 (N.D.Ill. 1972). See also, Lucas v. Wisconsin Electric Power Company, 466 F.2d 638, 652 n. 30 (7th Cir. 1972)..."

See also, Staton v. Mayes, *supra* at 912; Mathews v. Eldridge, 434 U.S. 319, 333, 96 S.Ct. 893, 902, 47 L.Ed.2d 18 (1976); Winkler v. County of DeKalb, 648 F.2d 411, 414 (5th Cir. 1981); Mackey v. Montrym, 443 U.S. 1, 99 S.Ct. 2612, 61 L.Ed.2d 321 (1979) (Stewart, J., dissenting); Memphis Light, Gas & Water Division v. Craft, 436 U.S. 1, 16 n.19, 98 S.Ct. 1554, 56 L.Ed.2d 30 (1978); In Re Murchison, 349 U.S. 133, 136, 75 S.Ct. 623, 625, 99 L.Ed. 942 (1954); Goldberg v. Kelly, 397 U.S. 254, 271, 90 S.Ct. 1011, 25 L.Ed.2d 287 (1969); Wong Yang Sung v. McGrath, 339 U.S. 33, 45-46, 50, 70 S.Ct. 445, 94 L.Ed. 616 (1949); Wilner v. Committee on Character, 373 U.S. 96, 103, 83 S.Ct. 1175, 1180, 10 L.Ed.2d 244 (1963); McGhee v. Draper, 564 F.2d 902, 911 (10th Cir. 1977); English v. North East Board of Education, *supra*.

As to his property right in the position of Chief of Police, plaintiff contends he was denied substantive due process at the hearing before the Personnel Board in October, 1980, because the Board acted in an arbitrary manner. In discussing "arbitrary" in a substantive due process context in relation to a property interest, the Tenth Circuit Court of Appeals said in Weathers v. West Yuma County School Dist. R-J-1, 530 F.2d 1335, 1340 (10th Cir. 1974):

"The claim that a person is entitled to 'substantive due process' means, . . . that state action which deprives him of life, liberty, or property must have a rational basis--that is to say, the reason for the deprivation may not be so inadequate that the judiciary will characterize it as 'arbitrary'..."

The Court went on to say:

"Judge Stevens believed that the right to substantive due process was not a greater right than that of procedural due process which had clearly been held applicable in Roth only when state action impaired a person's interest in liberty or property..."

The standards of "irrationality" or "arbitrariness" vary from time to time and Court to Court. In the instant case, the Court need only note, based on the record before it, plaintiff has not adequately demonstrated the action of the Personnel

Board was arbitrary and therefore there is no showing of denial of substantive due process.

Based on the record before the Court, defendants should be granted Summary Judgment on plaintiff's claims of denial of procedural and substantive due process in the hearing before the Personnel Board [dealing with plaintiff's demotion from Chief of Police to Lieutenant] because no genuine issues of material fact remain.

3. CLAIMED LIBERTY INTEREST.

Plaintiff further contends his liberty interest has been denied because of alleged derogatory statements in the two suspension letters. He contends his reputation in the community and as to future or potential employers has been damaged. In his brief plaintiff alludes to First Amendment rights in connection with deprivation of a liberty interest citing to Skehan v. Board of Trustees of Bloomsburg State Col., 501 F.2d 31, 38 (3rd Cir. 1974).^{12/} In the conclusion of his brief plaintiff refers to a concept of suspension without pay depriving a party of his rights to liberty under the Fourteenth Amendment.^{13/}

The concept of liberty recognizes two particular interests of a public employee: (1) the protection of his good name, reputation, honor and integrity, and (2) his freedom to take advantage of other employment opportunities. Board of Regents v. Roth, supra, 408 U.S. 564, 92 S.Ct. 2701, 33 L.Ed.2d 548 (1972); Weathers v. West Yuma County School Dist. R-J-1, supra, 530 F.2d at 1338; Lipp v. Board of Educ., 470 F.2d 802 (7th Cir. 1972).

^{12/} There is no evidence in this record of any First Amendment violation.

^{13/} Plaintiff has furnished no support for this statement.

The Court finds the record is devoid of any evidence the suspension letters seriously damaged plaintiff in his standing and reputation in the community. Furthermore, the record is devoid of any evidence plaintiff's freedom to take advantage of other employment opportunities has been foreclosed. There is no allegation by plaintiff the alleged derogatory statements in the suspension letters were disseminated to the public.^{14/}

The Court, therefore, finds the defendants' Motion for Summary Judgment as to plaintiff's claimed liberty interest deprivation should be sustained.

4. CLAIMED CONSTRUCTIVE DISCHARGE UNDER 42 U.S.C. §1983.

Although plaintiff's Second Cause of Action in the Amended Complaint sounds in "constructive discharge"^{15/} the briefs of plaintiff indicate his theory of recovery is predicated upon the Ordinance permitting up to 10 day suspensions is unconstitutional and that Kirk, acting in her official capacity as City Manager, implemented the "unconstitutional policy." Plaintiff further argues because these acts were accomplished under Ordinances, policies, and the like, the acts were done under "color of ... law" pursuant to 42 U.S.C. §1983, citing to Monnell v. New York City Depart. of Social Servs., 436 U.S. 658, 98 S.Ct. 2018, 56 L.Ed.2d 611 (1978).

^{14/} The contents of the September 30, 1980 letter were introduced by both plaintiff and defendant Kirk at the Personnel Board public hearing in October, 1980. The record is devoid of any assertion as to dissemination of the May, 1981, suspension letter.


^{15/} A constructive discharge exists when an employer deliberately renders the employee's working conditions intolerable and thus forces him to quit his job. Clark v. Marsh, 665 F.2d 1168 (D.C.Cir. 1981); Muller v. United States Steel Corporation, 509 F.2d 923, 929 (10th Cir. 1975). The doctrine developed in labor cases and has been extended to Title VII cases. This Court has not found a case extending the doctrine to a §1983 action.

The Court has previously determined the suspensions did not give rise to a cognizable constitutionally protected claim. Other than the complaint as to the suspensions, the balance of plaintiff's Second Cause of Action fails to describe a deprivation of rights, privileges or immunities under color of law. The Court, therefore, finds the defendants' Motion to Dismiss the Second Cause of Action pursuant to F.R.Civ.P. 12(h) (2) and (3) should be sustained.

IT IS THEREFORE ORDERED as follows:

1. Plaintiff's Motion for Summary Judgment is overruled.
2. Defendants' Motion for Summary Judgment and Motion to Dismiss are sustained.

ENTERED this 4th day of March, 1982.



THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF OKLAHOMA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

ROY RODDY # 89567, ROBERT
WILKERSON # 92006, and HERBERT
SMITH # 95745,

Plaintiffs,

vs.

MICHAEL FAIRLESS, Deputy Warden,
BRENT FATKINS, Captain, NORMA
BEAVERS, Sergeant, NANCY DUPON,
Case Manager # I, et al.,

Defendants.


No. 81-C-901-E

O R D E R

Pursuant to the application of the Plaintiff, Roy Roddy # 89567,
and for good cause shown,

IT IS ORDERED that Roy Roddy # 89567 is hereby dismissed from the
above styled action as a party Plaintiff with prejudice.

Dated this 29 day of March, 1982.


JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

MAR 3 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

CHICAGO AND NORTH WESTERN
TRANSPORTATION COMPANY,
a Delaware Corporation,

Plaintiff,

-vs-

MARAD EXPLORATION CORPORATION,
an Oklahoma Corporation,

Defendant.

No. 81-C-718-E

ORDER OF DISMISSAL

On this 3rd day of March, 1982, upon written application of the plaintiff for a Dismissal Without Prejudice of the complaint herein, the Court having examined said application, finds that the named defendant has filed for bankruptcy and that the plaintiff has been unable to serve summons upon the named defendant, in order to give notice of the instant suit.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court, that the complaint of the plaintiff filed herein be and the same is hereby dismissed without prejudice to any further action.

James O. Morris
UNITED STATES DISTRICT JUDGE

NOTE: THIS ORDER IS TO BE MAILED
BY MOVANT TO ALL COUNSEL AND
PRO SE LITIGANTS IMMEDIATELY
UPON RECEIPT.

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

1982

U.S. District Court
Northern District of Oklahoma

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAMES L. BRUSVEEN and
PAULA M. BRUSVEEN,

Defendants.

CIVIL ACTION NO. 81-C-525-E ✓

JUDGMENT OF FORECLOSURE

THIS MATTER COMES on for consideration this 31st day of March, 1982. The Plaintiff appearing by Frank Keating, United States Attorney for the Northern District of Oklahoma, through Philard L. Rounds, Jr., Assistant United States Attorney, and the Defendants, James L. Brusveen and Paula M. Brusveen, appearing not.

The Court being fully advised and having examined the file herein finds that Defendants, James L. Brusveen and Paula M. Brusveen, were served with Summons and Complaint on October 7, 1981, both as appears on the United States Marshal's Service herein.

It appears that the Defendants, James L. Brusveen and Paula M. Brusveen, have failed to answer and that default has been entered by the Clerk of this Court.

The Court further finds that this is a suit based upon two mortgage notes and for a foreclosure of two real property mortgages securing said mortgage notes upon the following described real property located in Tulsa County, Oklahoma, within the Northern Judicial District of Oklahoma:

Lot Nineteen (19), Block Six (6), GLENPOOL PARK,
an Addition in the Town of Glenpool, Tulsa County,
State of Oklahoma, according to the recorded amended
plat thereof.

THAT Ron J. Buttress and Janis K. Buttress, did, on the 3rd day of March, 1977, execute and deliver to the United States of America, acting through the Farmers Home

Administration, their mortgage and mortgage note in the sum of \$23,350.00 with 8 percent interest per annum, and further providing for the payment of monthly installments of principal and interest.

That the Defendants, James L. Brusveen and Paula M. Brusveen, did, on the 22nd day of May, 1980, execute and deliver to the United States of America, acting through the Farmers Home Administration, an Assumption Agreement in which they did agree to assume the obligations of the mortgage note and mortgage described above and to pay the unpaid balance of the note in the principal amount of \$22,840.12, plus accrued interest in the amount of \$77.30.

That the Defendants, James L. Brusveen and Paula M. Brusveen, did, on the 22nd day of May, 1980, execute and deliver to the United States of America, acting through the Farmers Home Administration, their mortgage and mortgage note covering the above-described property in the sum of \$11,120.00, with 11 percent interest per annum, and further providing for the payment of monthly installments of principal and interest.

The Court further finds that Defendants, James L. Brusveen and Paula M. Brusveen, made default under the terms of the aforesaid mortgage notes by reason of their failure to make monthly installments due thereon, which default has continued and that by reason thereof the above-named Defendants are now indebted to the Plaintiff in the sum of \$33,544.32 as unpaid principal, plus accrued interest of \$2,072.74 as of April 7, 1981, plus interest thereafter at the rate of \$8.2320 per day, until paid, plus the cost of this action accrued and accruing.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover judgment against Defendants, James L. Brusveen and Paula M. Brusveen, for the principal sum of \$33,544.32, plus accrued interest of \$2,072.74 as of April 7, 1981, plus interest thereafter at the rate of \$8.2320 per day, until paid, plus the cost of this action accrued and accruing,

plus any additional sums advanced or to be advanced or expended during this foreclosure action by Plaintiff for taxes, insurance, abstracting, or sums for the preservation of the subject property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that upon the failure of said Defendants to satisfy Plaintiff's money judgment herein, an Order of Sale shall be issued to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell with appraisement the real property and apply the proceeds in satisfaction of Plaintiff's judgment. The residue, if any, shall be deposited with the Clerk of the Court to await further order of the Court.

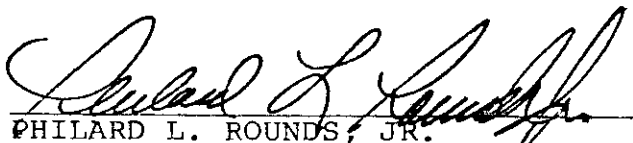
IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that from and after the sale of said property, under and by virtue of this judgment and decree, all of the Defendants and all persons claiming under them since the filing of the Complaint herein are forever barred and foreclosed of any right, title, interest or claim to the real property or any part thereof.

S/ JAMES O. ELLISON

UNITED STATES DISTRICT JUDGE

APPROVED:

FRANK KEATING
United States Attorney


PHILARD L. ROUNDS, JR.
Assistant United States Attorney

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAR 3 1982

MELODY DIANE PHILLIPS,
Administratrix of the
Estate of Myrle Lynn Miles,

Plaintiff,

vs.

NO. 81-C-32-E


BLACKWELL TRUCK AND
ROUSTABOUT SERVICE, INC.;
BARRY EUGENE STAFFORD, OIL
FIELD RENTALS; MARION
JOYCE McLAREN; L.B. JACKSON
DRILLING COMPANY; ANADARKO
PRODUCTION COMPANY; TULSA
DRILLING CO.; and
SHEBESTER-BECHTEL, INC.,

Defendants.

ORDER OF DISMISSAL


ON This 2nd day of March, 1982, upon the written application of the parties for a Dismissal with Prejudice of the Complaint and all causes of action, the Court having examined said application, finds that said parties have entered into a compromise settlement covering all claims involved in the Complaint and have requested the Court to dismiss said Complaint with prejudice to any future action, and the Court being fully advised in the premises, finds that said Complaint should be dismissed pursuant to said application.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the Complaint and all causes of action of the plaintiff filed herein against the defendants be and the same hereby is dismissed with prejudice to any future action.


JUDGE, DISTRICT COURT OF THE UNITED
STATES, NORTHERN DISTRICT OF OKLAHOMA

APPROVALS:

RONALD HORGAN


Attorney for Plaintiff,

ALFRED B. KNIGHT

Alfred B. Knight

Attorney for Defendants

57
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

KENNETH A. SNITZ,

Plaintiff,

v.

HOME LIFE INSURANCE COMPANY,
a foreign insurance corporation,

Defendant.

MAR 3 1982

U. S. DISTRICT COURT

No. 80-C-640-E

JUDGMENT

NOW on this 12th day of February, 1982, upon Motion for Partial Summary Judgment of the Defendant with respect to the allegations of "negligent underwriting", and for good cause shown, the Defendant's Motion for Partial Summary Judgment is granted.

James O. Allison
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR **FILED**
THE NORTHERN DISTRICT OF OKLAHOMA

SHIRLEY A. ROBINSON, Administratrix)
of the Estate of JOHN ARTHUR)
HURLBURT, Deceased; SHIRLEY A.)
ROBINSON, and JOHN DAVID HURLBURT,)
Individually,)

Plaintiffs,)

vs.)

WISCONSIN LIFE INSURANCE)
COMPANY, a foreign corporation,)

Defendant.)

MAR 3 1982

No. 80-C-636-E

ORDER OF DISMISSAL

On this 2nd day of March 1982, upon written application of the parties for an Order of Dismissal with prejudice of the Complaint and all causes of action, the Court having examined said application, finds that said parties have entered into a compromise settlement covering all claims in the Complaint and have requested the Court to dismiss the Complaint with prejudice to any further action, and the Court being fully advised in the premises, finds that said Complaint should be dismissed.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the Complaint and all causes of action of the Plaintiffs filed herein against the Defendant be, and the same are hereby dismissed with prejudice to any further action.

S/ JAMES O. ELLISON

JAMES O. ELLISON
U. S. District Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY 1 1982

AMERICAN CAN COMPANY,
a corporation,

Plaintiff,

vs.

JACK N. STOOPS,

Defendant.

Jack C. Silver, Clerk
U. S. DISTRICT COURT

No. 80-C-59-BT

O R D E R

The matter presently before the Court for consideration is whether defendant is entitled as the prevailing party herein to an award of attorney's fees. The Court concludes he is not so entitled under the laws of the State of Oklahoma.

In this diversity action, the law of the State of Oklahoma determines the substantive right of plaintiff to recover attorney's fees. Klaxon v. Stentor Electric Manufacturing Co., 313 U.S. 487, 496-7 (1941); Frigiquip v. Parker-Hannifin Corporation, 75 F.R.D. 605, 610 (W.D. Okla. 1977). Oklahoma follows the "American Rule" with respect to the entitlement to attorney's fees, and, generally, attorney's fees may not be awarded unless authorized by contract or statute. Puckett v. Southeast Plaza Bank, 620 P.2d 461, 463 (Okla.App.1980); Goodman v. Norman Bank of Commerce, 565 P.2d 372, 373 (Okla. 1977). As the basis of his entitlement, defendant asserts 12 Okl.St. Ann. §937, which reads in pertinent part as follows:

"In any civil action to enforce payment of or to collect upon a check, draft or similar bill of exchange drawn on a bank or otherwise, payment upon which said instrument has been refused because of insufficient funds or no account, the party prevailing on such cause of action shall be awarded a reasonable attorney's fee, such fee to be assessed by the court as costs against the losing party;

Although defendant concedes plaintiff's cause of action sounds in tort, defendant contends "[t]he fact that the plaintiff chose to file the action based upon a tortious theory rather than a contractual one should not affect the award of attorney fees.

To do otherwise will allow a plaintiff to control the outcome on the issue of attorney fees in the event that the said plaintiff does not prevail." Defendant's Brief at 4.

It is readily apparent to the Court the instant action was predicated from its inception on a tort theory, namely fraud, and on the basis of the facts alleged, the suit could not have been founded upon a contractual theory or on the checks themselves. The asserted basis of defendant's liability on the checks in question was, in issuing and signing checks of Vigo, Inc. ("Vigo") with knowledge there existed insufficient funds in the account to pay the checks, defendant made fraudulent representations to plaintiff which induced plaintiff to tender goods to Vigo. On these facts, plaintiff could not have sued this defendant on the checks because defendant executed the Vigo checks in his capacity as a corporate officer of Vigo. Accordingly, any action to recover on the checks themselves could only be pursued against Vigo. It cannot be said, therefore, plaintiff can "control the outcome on the issue of attorney fees in the event that the said plaintiff does not prevail." Plaintiff's only theory of recovery on the facts alleged is in tort.

The parties have correctly pointed out there exist no reported Oklahoma cases bearing on the proper application of 12 Okl.St. Ann. §937 to the facts here in issue. There is authority under 12 Okl.St. Ann. §936*, however, which addresses the precise contentions of the parties herein. In Security Bank & Trust Company of Shawnee, 554 P.2d 119 (Okl.App. 1976), plaintiff sought

* Section 936 of Title 12 of the Oklahoma Statutes Annotated provides:

"In any civil action to recover on an open account, a statement of account, account stated, note, bill, negotiable instrument, or contract relating to the purchase or sale of goods, wares, or merchandise, or for labor or services, unless otherwise provided by law or the contract which is the subject to [sic] the action, the prevailing party shall be allowed a reasonable attorney fee to be set by the court, to be taxed and collected as costs."

to recover the amount of a check, alleging defendant had failed validly to give notice of dishonor in accordance with the applicable statute. Plaintiff also requested an award of attorney's fees pursuant to 12 Okl.St.Ann. §936.** In reversing the trial court's judgment awarding plaintiff attorney's fees under §936, the Oklahoma Court of Appeals stated:

"As we view this lawsuit, it is a suit to recover for failure to validly dishonor a check, and as such, is not a suit to recover on the instrument itself. * * * It is true the amount of damages sought is the amount of the check, which is the amount a payor bank is accountable for under 12A O.S.1971 §4-302; however, it still is not a suit to recover on the check, but is to recover damages for the wrongful manner in which the check was allegedly handled by appellant."

554 P.2d at 125. Accord, Goodman v. Norman Bank of Commerce, 565 P.2d 372, 374 (Okl.1977). The case at bar presents precisely the same situation. While it is true the amount of damages sought by plaintiff herein is equal to the sum of the checks in question, the lawsuit nevertheless is in essence an action for fraud, and not one to recover on the checks themselves. Moreover, the plaintiff's position in Security Bank appears stronger on the attorney's fee issue than that of the defendant in the case at bar, since the defendant in Security Bank, as a payor bank, could have been sued directly on the check under some circumstances. Here, plaintiff could not seek to recover directly on the check from defendant, but rather could only proceed on a theory of fraud.

The holding in Security Bank was adopted by the Court in Puckett v. Southeast Plaza Bank, 620 P.2d 461 (Okl.App.1980). In Puckett, the plaintiff sought to recover damages against a payor bank after the bank had wrongfully paid the total proceeds of a fire loss draft to a joint payee without having obtained the signature of the plaintiff. In response to plaintiff's

** Since the plaintiff in Security Bank purported to be suing on a check as opposed to another type of negotiable instrument, it would seem plaintiff's claim for attorney's fees would more properly have been pursued under §937; thus, the case is virtually "on all fours" with the cause sub judice.

assertion she was entitled to attorney's fees under 12 Okl. St. Ann. §936 because the suit was brought to recover on a negotiable instrument, the Court stated:

"Trouble is this is not a suit on the negotiable instrument itself. It is a tort action to recover damages equal to the face amount of the draft - a ground not contemplated by §936." [footnote omitted]

620 Okl.App. at 464.

In the case at bar, the Court finds the instant action is one in tort, and indeed, could not have been pursued on the instruments themselves against this defendant. There is, thus, no danger plaintiff could have controlled the outcome of the attorney's fee issue by choosing to allege a theory of fraud. Accordingly, the Court hereby concludes defendant is not entitled to an award of attorney's fees under 12 Okl.St.Ann. §937.

The Court entered judgment in favor of the defendant and against the plaintiff on December 10, 1981 following trial to the Court. With the entry of this Memorandum Opinion, that judgment is rendered final.

IT IS SO ORDERED.

ENTERED this 1st day of March, 1982.



THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF OKLAHOMA

United States District Court

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

BUCK D. JONES,

Plaintiff,

vs.

BIGHEART CRUDE OIL CORPORATION, an Oklahoma
corporation, JACK ALDRIDGE and BOB ARNOLD,
Defendants.

CIVIL ACTION FILE NO. 80-C-355-E

JUDGMENT

This action came on for trial before the Court and a jury, Honorable James O. Ellison
United States District Judge, presiding, and the issues having been duly tried and
the jury having duly rendered its verdict, for the Defendants.

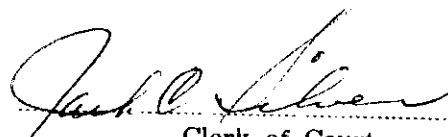
It is Ordered and Adjudged that the plaintiff take nothing and that the
defendants recover of the plaintiff, costs of action.

MAR - 1 1982

1982 MAR 1 10 11 AM
U. S. DISTRICT COURT

Dated at Tulsa, Oklahoma
of March , 19 82 .

, this 1st day



Clerk of Court

e

IN THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF OKLAHOMA

FILED

MAR-1 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

DONALD YRTTIMA, Guardian of)
the Person and Estate of)
TROY MICHAEL YRTTIMA,)
Plaintiff,)
vs.)
BROWNING-FERRIS, INC., a)
Delaware corporation,)
Defendant.)

No. 81-C-50-E

JOURNAL ENTRY OF JUDGMENT AND SATISFACTION

NOW on this 16th day of February, 1982, this cause comes on for jury trial pursuant to regular setting. Plaintiff, Donald Yrttima, guardian of the person and estate of Troy Michael Yrttima, appeared in person and with his ward, Troy Michael Yrttima, and his attorneys, Frasier, Frasier & Gullekson by Thomas Dee Frasier and James E. Frasier. Defendant Browning-Ferris, Inc. appeared by its duly authorized representative, M. E. Lawson, and by its attorneys Strassburger and Price by Keith Drummond and Feldman, Hall, Franden & Woodard by Wm. S. Hall. The parties announced ready and a jury was duly selected and sworn, and the cause proceeded to trial.

NOW on this 17th day of February, 1982, the parties appeared before the Court and without the presence of the jury, and announced that they had compromised and settled the claims of the Plaintiff involved in the proceedings herein in that the defendant had agreed to pay for the use and benefit of the plaintiff the total sum of Two Million Dollars (\$2,000,000.00), and at the request of Plaintiff and his attorneys received permission from the Court to have the settlement proceeds distributed by payment of cash and purchase of annuity contracts to be determined in amounts

certain within a reasonable time. The Court approves the settlement and grants the parties a reasonable time within which to consummate their settlement agreement, and the Court finds the case has been settled between the parties and discharges the jury.

NOW on this 1st day of March, 1982, the parties through their attorneys appeared before the Court and pursuant to the parties' request, the Court FINDS that the compromise settlement agreement is to be paid as follows:

1. The payment to the Plaintiff by the Defendant of the sum of \$200,306.00 at the time of the entry of this Judgment.

2. The Defendant will purchase an annuity contract through First Colony Life Insurance Company of Lynchburg, Virginia, which contract shall provide for payment to Troy Michael Yrttima and/or his guardian during his incompetency, as follows:

a. The payment of the sum of \$7,440.00 per month to commence April 15, 1982, for life and guaranteed for 20 years from the first monthly payment.

b. The payment of the following guaranteed lump sums on the dates indicated:

\$ 50,000.00 on April 15, 1987
\$ 100,000.00 on April 15, 1992
\$ 300,000.00 on April 15, 1997
\$ 500,000.00 on April 15, 2002
\$ 750,000.00 on April 15, 2007
\$1,000,000.00 on April 15, 2012.

c. The above sums for the periods guaranteed are payable to Troy Michael Yrttima through his guardian or upon his death for whatever period remains pursuant to the guarantee payable to his beneficiary or beneficiaries.

3. To the law firm of Frasier, Frasier & Gullekson in satisfaction of their claims for attorneys fees as a result of their representation of the Plaintiff herein, the Defendant will make payment to said Plaintiff's attorneys:

a. The sum of \$400,000.00 at the time of the entry of this Judgment.

b. Will purchase an annuity contract through First Colony Life Insurance Company of Lynchburg, Virginia, which contract shall provide for payment to said attorneys in the following guaranteed lump sums payable on the dates indicated:

\$109,800.00 on April 1, 1983

\$109,800.00 on April 1, 1984

\$109,800.00 on April 1, 1985


\$109,800.00 on April 1, 1986

\$109,800.00 on April 1, 1987.

4. That the above described distribution of monies and the purchase of the above described annuity contracts has been approved by the District Court of Tulsa County, Oklahoma, in the Matter of the Guardianship of Troy Michael Yrttima, No. PG-81-16 as being in the best interests of plaintiff's ward Troy Michael Yrttima, and this Court does hereby find that it has examined the described settlement and that it is in the best interests of all parties hereto including plaintiff's ward Troy Michael Yrttima, and further finds that payment of plaintiff's attorneys fees above described is approved and further finds that said settlement agreement should be and is hereby approved.


5. That Defendant has heretofore been put on notice by the United States of America of its claim through its medical insurer CHAMPUS of claims for hospital treatment furnished to Troy Michael Yrttima and as a part of the settlement agreement herein the Plaintiff and his attorneys have agreed to indemnify and hold harmless the Defendant and anyone in privity with Defendant from any hospital or medical care treatment liens as a result of the accident in question, and the Court approves of such agreement.

BE IT THEREFORE ORDERED, ADJUDGED AND DECREED that the Plaintiff Donald Yrttima, Guardian of the Person and Estate of Troy Michael Yrttima, and his attorneys, Frasier, Frasier & Gullekson, be, and they are hereby awarded judgment against the Defendant herein, Browning-Ferris, Inc., in the amounts set forth in Paragraphs 1, 2, and 3 hereinabove; and it is hereby specifically found that the Defendant Browning-Ferris, Inc. has paid to the Plaintiff and his attorneys the total sum of \$600,306.00 and has purchased the annuity contracts as set forth in Paragraphs 2 and 3 above, and has therefore completely and fully satisfied its obligations hereunder and that this judgment is therefore held to be satisfied and the judgment lien hereof is hereby held to be extinguished, and the Defendant, Browning-Ferris, Inc., has no further obligations or liabilities to the Plaintiff as a result of this judgment, and the Clerk of the Court is authorized and directed to enter a release of the judgment entered herein and the Plaintiff and his attorneys are ordered to indemnify and hold harmless the Defendant and anyone in privity with the Defendant from any asserted hospital or medical liens or claims incurred as a result of the accident in question to plaintiff's ward.


JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM AND SUBSTANCE:

FRASIER, FRASIER & GULLEKSON

By 
Attorneys for Plaintiff

STRASSBURGER & PRICE

and

FELDMAN, HALL, FRANDEN & WOODARD

By 
Attorneys for Defendant

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

WAYCO OIL CO., a partnership)
composed of Howard Holloway and)
Wayne Ramey,)
)
Plaintiff,)
)
vs.)
)
SERVICE FRACTURING CO.,)
a corporation,)
)
Defendant.)

MAR 1 1982

JOHN C. SHIVER, CLERK
U. S. DISTRICT COURT

Case No. 82-C-220-E ✓

NOTICE OF DISMISSAL WITHOUT PREJUDICE

Comes now the plaintiff, WAYCO OIL CO., a partnership composed of Howard Holloway and Wayne Ramey, and respectfully represents and shows to the Court as follows, to-wit:

1. That on the 19th day of January, 1982, the above styled case was instituted as case No. C82-25 in the District Court of Creek County, Oklahoma, Sapulpa Division, when Wayco Oil Co., a partnership composed of Howard Holloway and Wayne Ramey, as plaintiff, filed its Petition in said case against Service Fracturing Co., a corporation, as defendant. That thereafter said defendant filed its Entry of Appearance in said case and these are the only pleadings in said action in the District Court of Creek County, Oklahoma, Sapulpa Division.

2. That said defendant filed its Petition for Removal of said case to the United States District Court for the Northern District of Oklahoma on February 24, 1982, which case was docketed as Case No. 82-C-220-E therein. That said defendant has filed no other pleadings in the said Federal Court case, specifically including, but not limited to, either an Answer or a Motion for Summary Judgment.

3. That pursuant to the provisions of Rule 41(a) Federal Rules of Civil Procedure, plaintiff has the right at plaintiff's

LAW OFFICES

LOEFFLER
& ALLEN

election to dismiss this action without prejudice. That, therefore, plaintiff does hereby dismiss its said action against said defendant without prejudice to any future action or actions.

DATED this 1st day of March, 1982.

ROBERT E. SITLER
and
LOEFFLER & ALLEN

By 

Attorneys for Plaintiff

P. O. Box 230
Sapulpa, Oklahoma 74066
PHONE: 918 - 224-5302

CERTIFICATE OF MAILING

I certify that on the 1st day of March, 1982, I mailed a true and correct copy of the above and foregoing Notice of Dismissal Without Prejudice, with postage fully paid thereon, to Jones, Giverns, Gotcher, Doyle & Bogan, Inc., Attention: Mr. Deryl Lee Gotcher, 201 West Fifth Street, Suite 400, Tulsa, Oklahoma 74103, the attorneys of record for the above named defendant.


Sam T. Allen, III

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAR 1 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

United States of America,)
)
Plaintiff,)
)
vs.)
)
10.00 Acres of Land, More or)
Less, Situate in Osage County,)
State of Oklahoma, and Tom L.)
Taylor, et al., and Unknown)
Owners,)
)
Defendants.)

CIVIL ACTION NO. 76-C-583-Bt

Tract No. 333

(Included in D.T. filed in
Master File #398-6)

J U D G M E N T

1.

NOW, on this 26 day of February, 1982, this matter comes on for disposition on application of the Plaintiff, United States of America, for entry of judgment on the Report of Commissioners filed herein on December 30, 1981, and the Court, after having examined the files in this action and being advised by counsel for the Plaintiff, finds that:

2.

This judgment applies to the entire estate taken in Tract No. 333, as such estate and tract are described in the Complaint filed in this case.

3.

The Court has jurisdiction of the parties and the subject matter of this action.

4.

Service of Process has been perfected personally, as provided by Rule 71A of the Federal Rules of Civil Procedure, on all parties defendant in this cause.

5.

The Acts of Congress set out in paragraph 2 of the Complaint filed herein give the United States of America the right, power and authority to condemn for public use the subject property. Pursuant thereto, on November 19, 1976, the United States of America

filed its Declaration of Taking of a certain estate in such tract of land, and title to such property should be vested in the United States of America, as of the date of filing such instrument.

6.

Simultaneously with filing of the Declaration of Taking, there was deposited in the Registry of this Court as estimated compensation for the taking of the described estate in the subject tract a certain sum of money, and all of this deposit has been disbursed, as set out below in paragraph 12.

7.

The Report of Commissioners filed herein on December 30, 1981, is accepted and adopted as findings of fact as to subject tract. The amount of just compensation as to the estate taken in subject tract as fixed by the Commission is set out below in paragraph 12.

8.

This judgment will create a deficiency between the amount deposited as estimated just compensation for the estate taken in subject tract and the amount fixed by the Commission and the Court as just compensation, and a sum of money sufficient to cover such deficiency should be deposited by the Government. This deficiency is set out below in paragraph 12.

9.

The defendants named in paragraph 12 as owners of the estate taken in subject tract are the only defendants asserting any interest in such estate. All other defendants having either disclaimed or defaulted, the named defendants were (as of the date of taking) the owners of the estate condemned herein and, as such, are entitled to receive the just compensation awarded by this judgment.

10.

It Is, Therefore, ORDERED, ADJUDGED and DECREED that the United States of America has the right, power and authority to condemn for public use the subject tract, as it is described in the Complaint filed herein, and such property, to the extent of the estate described in such Complaint is condemned, and title thereto

is vested in the United States of America, as of November 19, 1976, and all defendants herein and all other persons are forever barred from asserting any claim to such estate.

11.

It Is Further ORDERED, ADJUDGED and DECREED that on the date of taking in this case, the owners of the estate taken herein in subject tract were the defendants whose names appear below in paragraph 12, and the right to receive the just compensation for such estate is vested in the parties so named.

12.

It Is Further ORDERED, ADJUDGED and DECREED that the Report of Commissioners filed herein on December 30, 1981, hereby is confirmed and the sum therein fixed is adopted as the award of just compensation for the estate taken in subject tract, as shown by the following schedule:

TRACT NO. 333

OWNERS: Tom L. Taylor and
Glyn Erle Taylor

Subject to mortgages owned by
Exchange Bank, Skiatook

Award of just compensation pursuant to Commissioners' Report -----	\$9,000.00	\$9,000.00
Deposited as estimated compensation --	\$6,000.00	
Disbursed to owners -----		<u>\$6,000.00</u>
Balance due to owners -----		<u>\$3,000.00</u> plus interest
Deposit deficiency -----	\$3,000.00	

13.

It Is Further ORDERED, ADJUDGED and DECREED that the United States of America shall pay into the Registry of this Court for the benefit of the owners the deposit deficiency for the subject tract as shown in paragraph 12, in the total amount of \$3,000.00, together with interest on such deficiency at the rate of 6% per annum from November 19, 1976, until the date of deposit

of such deficiency sum; and such sum shall be placed in the deposit for subject tract in this civil action.

After such deficiency deposit has been made, the Clerk of this Court shall disburse the entire sum then on deposit for the subject tract, jointly, to Tom L. Taylor, Glyn Erle Taylor, and Exchange Bank, Skiatook.

S/ THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

APPROVED:

Hubert A. Marlow
HUBERT A. MARLOW
Assistant United States Attorney

Gene P. Dennison
GENE P. DENNISON
Attorney for Defendants

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAR 1 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

United States of America,)
)
Plaintiff,)
)
vs.)
)
20.00 Acres of Land, More or)
Less, Situate in Osage County,)
State of Oklahoma, and Russell)
C. Wylie, et al., and Unknown)
Owners,)
)
Defendants.)

CIVIL ACTION NO. 76-C-586-Bt

Tract No. 337

(Included in D.T. filed in
Master File #398-6)

J U D G M E N T

1.

NOW, on this 26 day of February, 1982, this matter comes on for disposition on application of the Plaintiff, United States of America, for entry of judgment on the Report of Commissioners filed herein on December 30, 1981, and the Court, after having examined the files in this action and being advised by counsel for the Plaintiff, finds that:

2.

This judgment applies to the entire estate taken in Tract No. 337, as such estate and tract are described in the Complaint filed in this case.

3.

The Court has jurisdiction of the parties and the subject matter of this action.

4.

Service of Process has been perfected personally, as provided by Rule 71A of the Federal Rules of Civil Procedure, on all parties defendant in this cause.

5.

The Acts of Congress set out in paragraph 2 of the Complaint filed herein give the United States of America the right, power and authority to condemn for public use the subject property. Pursuant thereto, on November 19, 1976, the United States of America filed its Declaration of Taking of a certain estate in such tract

of land, and title to such property should be vested in the United States of America, as of the date of filing such instrument.

6.

Simultaneously with filing of the Declaration of Taking, there was deposited in the Registry of this Court as estimated compensation for the taking of the described estate in the subject tract a certain sum of money, and all of this deposit has been disbursed, as set out below in paragraph 12.

7.

The Report of Commissioners filed herein on December 30, 1981, is accepted and adopted as findings of fact as to subject tract. The amount of just compensation as to the estate taken in subject tract as fixed by the Commission is set out below in paragraph 12.

8.

This judgment will create a deficiency between the amount deposited as estimated just compensation for the estate taken in subject tract and the amount fixed by the Commission and the Court as just compensation, and a sum of money sufficient to cover such deficiency should be deposited by the Government. This deficiency is set out below in paragraph 12.

9.

The defendants named in paragraph 12 as owners of the estate taken in subject tract are the only defendants asserting any interest in such estate. All other defendants having either disclaimed or defaulted, the named defendants were (as of the date of taking) the owners of the estate condemned herein and, as such, are entitled to receive the just compensation awarded by this judgment.

10.

It Is, Therefore, ORDERED, ADJUDGED and DECREED that the United States of America has the right, power and authority to condemn for public use the subject tract, as it is described in the Complaint filed herein, and such property, to the extent of the estate described in such Complaint is condemned, and title thereto is vested in the United States of America, as of November 19, 1976,

and all defendants herein and all other persons are forever barred from asserting any claim to such estate.

11.

It Is Further ORDERED, ADJUDGED and DECREED that on the date of taking in this case, the owners of the estate taken herein in subject tract were the defendants whose names appear below in paragraph 12, and the right to receive the just compensation for such estate is vested in the parties so named.

12.

It Is Further ORDERED, ADJUDGED and DECREED that the Report of Commissioners filed herein on December 30, 1981, hereby is confirmed and the sum therein fixed is adopted as the award of just compensation for the estate taken in subject tract, as shown by the following schedule:

TRACT NO. 337

Owners: Russell C. Wylie,
Maxine J. Wylie,
Donald H. Webb,
Kenna J. Webb,
J. E. Hisaw,
Rita Hisaw, and

Subject to a mortgage owned by
Exchange Bank, Skiatook

Award of just compensation pursuant to Commissioners' Report -----	\$20,000.00	\$20,000.00
Deposited as estimated compensation ---	\$12,000.00	
Disbursed to owners -----		<u>\$12,000.00</u>
Balance due to owners -----		\$ 8,000.00 plus interest
Deposit deficiency -----	\$ 8,000.00	

13.

It Is Further ORDERED, ADJUDGED and DECREED that the United States of America shall pay into the Registry of this Court for the benefit of the owners the deposit deficiency for the subject tract as shown in paragraph 12, in the total amount of \$8,000.00, together with interest on such deficiency at the rate of 6% per annum from November 19, 1976, until the date of deposit

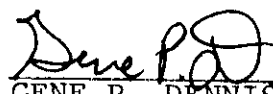
of such deficiency sum; and such sum shall be placed in the deposit for subject tract in this civil action.

After such deficiency deposit has been made, the Clerk of this Court shall disburse the entire sum then on deposit for the subject tract, jointly, to Russell C. Wylie, Maxine J. Wylie, Donald H. Webb, Kenna J. Webb, J. E. Hisaw, Rita Hisaw, and Exchange Bank, Skiatook.


UNITED STATES DISTRICT JUDGE

APPROVED:


HUBERT A. MARLOW
Assistant United States Attorney


GENE P. DENNISON
Attorney for Defendants

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAR 1 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

United States of America,)	
)	
Plaintiff,)	
)	
vs.	)	CIVIL ACTION NO. 76-C-587-Bt
)	
15.00 Acres of Land, More or	)	Tract No. 338
Less, Situate in Osage County,)	
State of Oklahoma, and Russell)	
C. Wylie, et al., and Unknown)	
Owners,)	
)	
Defendants.	)	(Included in D.T. filed in Master File #398-6)

J U D G M E N T

1.

NOW, on this 26 day of February, 1982, this matter comes on for disposition on application of the Plaintiff, United States of America, for entry of judgment on the Report of Commissioners filed herein on December 30, 1981, and the Court, after having examined the files in this action and being advised by counsel for the Plaintiff, finds that:

2.

This judgment applies to the entire estate taken in Tract No. 338, as such estate and tract are described in the Complaint filed in this case.

3.

The Court has jurisdiction of the parties and the subject matter of this action.

4.

Service of Process has been perfected personally, as provided by Rule 71A of the Federal Rules of Civil Procedure, on all parties defendant in this cause.

5.

The Acts of Congress set out in paragraph 2 of the Complaint filed herein give the United States of America the right, power and authority to condemn for public use the subject property. Pursuant thereto, on November 19, 1976, the United States of America filed its Declaration of Taking of a certain estate in such tract

of land, and title to such property should be vested in the United States of America, as of the date of filing such instrument.

6.

Simultaneously with filing of the Declaration of Taking, there was deposited in the Registry of this Court as estimated compensation for the taking of the described estate in the subject tract a certain sum of money, and all of this deposit has been disbursed, as set out below in paragraph 12.

7.

The Report of Commissioners filed herein on December 30, 1981, is accepted and adopted as findings of fact as to subject tract. The amount of just compensation as to the estate taken in subject tract as fixed by the Commission is set out below in paragraph 12.

8.

This judgment will create a deficiency between the amount deposited as estimated just compensation for the estate taken in subject tract and the amount fixed by the Commission and the Court as just compensation, and a sum of money sufficient to cover such deficiency should be deposited by the Government. This deficiency is set out below in paragraph 12.

9.

The defendants named in paragraph 12 as owners of the estate taken in subject tract are the only defendants asserting any interest in such estate. All other defendants having either disclaimed or defaulted, the named defendants were (as of the date of taking) the owners of the estate condemned herein and, as such, are entitled to receive the just compensation awarded by this judgment.

10.

It Is, Therefore, ORDERED, ADJUDGED and DECREED that the United States of America has the right, power and authority to condemn for public use the subject tract, as it is described in the Complaint filed herein, and such property, to the extent of the estate described in such Complaint is condemned, and title thereto is vested in the United States of America, as of November 19, 1976,

and all defendants herein and all other persons are forever barred from asserting any claim to such estate.

11.

It Is Further ORDERED, ADJUDGED and DECREED that on the date of taking in this case, the owners of the estate taken herein in subject tract were the defendants whose names appear below in paragraph 12, and the right to receive the just compensation for such estate is vested in the parties so named.

12.

It Is Further ORDERED, ADJUDGED and DECREED that the Report of Commissioners filed herein on December 30, 1981, hereby is confirmed and the sum therein fixed is adopted as the award of just compensation for the estate taken in subject tract, as shown by the following schedule:

TRACT NO. 338

Owners: Russell C. Wylie
Maxine J. Wylie
Donald H. Webb
Kenna J. Webb
Fred M. Beasley
Grace Beasley, and

Subject to a mortgage owned by
Exchange Bank, Skiatook

Award of just compensation pursuant to Commissioners' Report -----	\$12,000.00	\$12,000.00
Deposited as estimated compensation --	\$ 9,750.00	
Disbursed to owners -----		<u>\$ 9,750.00</u>
Balance due to owners -----		<u>\$ 2,250.00</u> plus interest
Deposit deficiency -----	\$ 2,250.00	

13.

It Is Further ORDERED, ADJUDGED and DECREED that the United States of America shall pay into the Registry of this Court for the benefit of the owners the deposit deficiency for the subject tract as shown in paragraph 12, in the total amount of \$2,250.00, together with interest on such deficiency at the rate of 6% per annum from November 19, 1976, until the date of deposit


of such deficiency sum; and such sum shall be placed in the deposit for subject tract in this civil action.

After such deficiency deposit has been made, the Clerk of this Court shall disburse the entire sum then on deposit for the subject tract, jointly, to Russell C. Wylie, Maxine J. Wylie, Donald H. Webb, Kenna J. Webb, Fred M. Beasley, Grace Beasley, and Exchange Bank, Skiatook.


UNITED STATES DISTRICT JUDGE

APPROVED:


HUBERT A. MARLOW
Assistant United States Attorney


GENE P. DENNISON
Attorney for Defendants

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAR 1 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,)

Plaintiff,)

vs.)

LARRY G. STIVER,)

Defendant.)

CIVIL ACTION NO. 81-C-457-B

O R D E R

For a good cause having been shown, IT IS HEREBY ORDERED,
ADJUDGED AND DECREED that the above-referenced action is here-
by dismissed with prejudice against the defendant.

DATED this 1ST day of March, 1982.



THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAR 1 1982

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
TIMOTHY M. GREENWOOD,)
)
Defendant.)

U. S. DISTRICT COURT

CIVIL ACTION NO. 81-C-747-B

AGREED JUDGMENT

This matter comes on for consideration this 1st day
of March, 1981, the Plaintiff appearing by Frank Keating,
United States Attorney for the Northern District of Oklahoma,
through Philard L. Rounds Jr., Assistant United States Attorney,
and the Defendant, Timothy M. Greenwood, appearing pro se.

The Court, being fully advised and having examined the
file herein, finds that the Defendant, Timothy M. Greenwood, was
personally served with Summons and Complaint on November 20,
1981. The Defendant has filed his Answer, and in lieu thereof
has agreed that he is indebted to the Plaintiff in the amount
of \$850.60 and that Judgment may accordingly be entered against
him in the amount of \$850.60, plus 12% interest from the date of
this Judgment until paid.

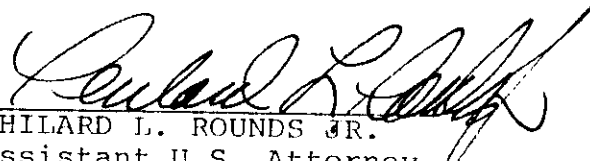
IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that
the Plaintiff have and recover Judgment against the Defendant,
Timothy M. Greenwood, in the amount of \$850.60, plus 12% interest
from the date of this Judgment until paid.

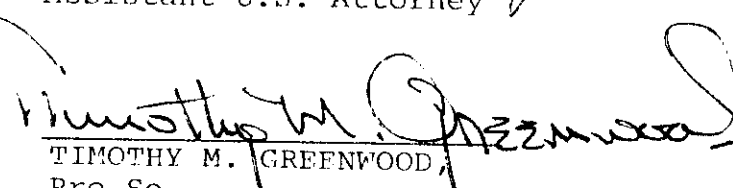

UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney


PHILARD L. ROUNDS JR.
Assistant U.S. Attorney


TIMOTHY M. GREENWOOD,
Pro Se

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAR 1 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

WILBERT LEE GILMORE,

Defendant.

CIVIL ACTION NO. 81-C-495-B

AGREED JUDGMENT

This matter comes on for consideration this 23 day
of February 1982, the Plaintiff appearing by Frank Keating,
United States Attorney for the Northern District of Oklahoma,
through Philard L. Rounds, Jr., Assistant United States Attorney,
and the Defendant, Wilbert Lee Gilmore, appearing pro se.

The Court, being fully advised and having examined the
file herein, finds that the Defendant, Wilbert Lee Gilmore, was
personally served with Summons and Complaint on September 23,
1981. The Defendant has not filed his Answer but in lieu thereof
has agreed that he is indebted to the Plaintiff in the amount
alleged in the Complaint and that Judgment may accordingly be
entered against him in the amount of \$3,212.42 (less the sum of
\$150.00 which has been paid), plus the accrued interest of
\$546.99 as of July 1, 1979, plus interest at 7 percent per annum
from July 1, 1979, until the date of this Judgment, plus 12
percent interest on the principal sum of \$3,212.42 (less the sum
of \$150.00) from the date of this Judgment until paid.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that
the Plaintiff have and recover Judgment against the Defendant,
Wilbert Lee Gilmore, in the amount of \$3,212.42 (less the sum of
\$150.00), plus the accrued interest of \$546.99 as of July 1,
1979, plus interest at 7 percent per annum from July 1, 1979,
until the date of this Judgment, plus 12 percent interest on the

principal sum of \$3,212.42 (less the sum of \$150.00) from the date of this Judgment until paid.


S/ THOMAS R. BRETT

UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney


PHILARD L. ROUNDS, JR.
Assistant U.S. Attorney


WILBERT LEE GILMORE

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FEB 25 1982

ROBERT LEGENZA,

Plaintiff,

vs.

CLARENCE I. BRITT, M.D.,
and SPRINGER CLINIC, INC., an
Oklahoma corporation,

Defendants.

No. 80-C-478-BT

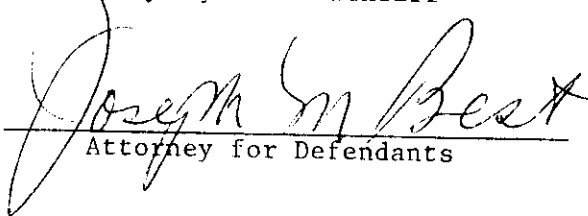
STIPULATION FOR DISMISSAL

COMES NOW the plaintiff and his attorney and the defendants' attorney would show to the Court that this matter has been compromised and settled and that nothing further remains to be litigated. Wherefore, these parties pray for a dismissal with prejudice of the above-captioned case.


Robert Legenza


Attorney for Plaintiff

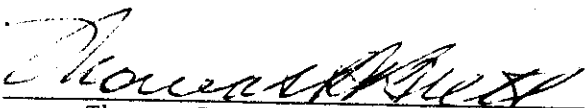
FILED
MAR 1 1982
Jack C. Silver, Clerk
U. S. DISTRICT COURT


Attorney for Defendants

ORDER

Now on this 26th day of February, 1982, upon the parties' stipulation and request for dismissal with prejudice, the Court finds that nothing further remains to be litigated in this matter and this case is herewith dismissed with prejudice.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT that the above-captioned cause be and the same is hereby dismissed with prejudice with each party to bear their own costs.


Thomas R. Brett
United States District Judge
Northern District of Oklahoma